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Letter dated 10 October 2014 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council

On behalf of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, and in accordance with paragraph 28 of Security Council resolution 2111 (2013), I have the honour to transmit herewith the report focusing on Eritrea of the Monitoring Group on Somalia and Eritrea.

In this connection, the Committee would appreciate it if the present letter, together with its enclosure, could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Oh **Joon**
Chair
Security Council Committee pursuant to
resolutions 751 (1992) and 1907 (2009)
concerning Somalia and Eritrea

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Letter dated 19 September 2014 from the members of the Monitoring Group on Somalia and Eritrea addressed to the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

In accordance with paragraph 28 of Security Council resolution 2111 (2013), we have the honour to transmit herewith the report on Eritrea of the Monitoring Group on Somalia and Eritrea.

(*Signed*) Jarat **Chopra**
Coordinator
Monitoring Group on Somalia and Eritrea

(*Signed*) Nicholas **Argeros**
Finance expert

(*Signed*) Zeina **Awad**
Transport expert

(*Signed*) Déirdre **Clancy**
Humanitarian expert

(*Signed*) Joakim **Gundel**
Arms expert

(*Signed*) Dinesh **Mahtani**
Finance expert

(*Signed*) Jörg **Roofthooft**
Maritime expert

(*Signed*) Babatunde **Taiwo**
Armed groups expert

Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2111 (2013)

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Abbreviations

APDM	Amhara People's Democratic Movement
EDF	Eritrean Defence Forces
ENAMCO	Eritrean National Mining Corporation
GDM/A	Gambella Democratic Movement and Army
NDA	National Democratic Alliance
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front
PFDJ	People's Front for Democracy and Justice
RPG	Rocket-propelled grenade
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SSDM/A	South Sudan Democratic Movement/Army
TPDM	Tigray People's Democratic Movement
TPLF	Tigray People's Liberation Front
UNHCR	Office of the United Nations High Commissioner for Refugees

Summary

Pursuant to paragraph 31 of resolution 2111 (2013), the Monitoring Group engaged with the Government of Eritrea throughout the course of its mandate. Under the auspices of the Chair of the Committee, two meetings were convened outside Eritrea, in Paris, on 8 December 2013 and in Cairo, on 14 February 2014, and a videoconference was organized between Nairobi and New York on 28 July 2014. While the Monitoring Group provided advance visibility to the Government of Eritrea on its midterm briefing to the Committee and on the preliminary findings of its final report on Eritrea, it did not receive full responses to its requests for information provided to the Government of Eritrea. In addition, the Monitoring Group was not permitted to visit Asmara or conduct its investigations inside Eritrea.

The Monitoring Group has found no evidence of Eritrean support to Al-Shabaab during the course of its present mandate. The Monitoring Group does not, however, rule out the possibility that Eritrea may be providing some assistance to elements within Al-Shabaab without detection, but it is the overall assessment of the Monitoring Group that Eritrea is a marginal actor in Somalia, and increased public scrutiny by the international community has made any direct support to Al-Shabaab much riskier.

The Monitoring Group has established that Eritrea continues to violate resolution 1907 (2009) by importing weapons and ammunition from eastern Sudan on a regular basis and with the knowledge and direction of Eritrean officials affiliated with the President's Office. The weapons include Kalashnikovs, Sudanese-made rifles, rocket-propelled grenades, mortar tubes, and SPG-9 guns. The Monitoring Group has identified Nusredin Ali Bekit, who was the manager of the Teseney branch of the Red Sea Corporation until July 2014, for his role in the trafficking of weapons from Eastern Sudan. At the time, Mr. Bekit was reporting to Colonel Tesfaldet Habteselasie, who is understood to be in charge of security and the financing of armed groups in the President's Office. Mr. Bekit has since then been promoted to Minister of Trade and Industry.

The Monitoring Group investigated allegations that Eritrea facilitated and in some cases provided weapons to three armed groups in South Sudan: Riek Machar's group (Sudanese People's Liberation Movement in Opposition), George Athor Deng's rebel forces, and the David Yau Yau group. The Monitoring Group received information from senior officials of the Government of South Sudan that Eritrea delivered military equipment to the Machar forces on four occasions in 2014. In addition, South Sudanese authorities informed the Monitoring Group that they had captured arms that Eritrea provided to the Yau Yau group and to George Athor Deng's rebels. South Sudan did not provide the Monitoring Group with any evidence to inspect in order to corroborate its claims. Therefore, the Group could not substantiate or confirm the allegations that Eritrea had violated resolution 1907 (2009) by providing military and logistical support to armed rebel groups in South Sudan.

Eritrean support for regional armed groups continues to be linked primarily to the larger context of Ethiopian-Eritrean rivalry in the Horn of Africa, the unsettled border dispute between Ethiopia and Eritrea, and the way in which that rivalry shapes Eritrean foreign policy. The Monitoring Group obtained testimonials and evidence that Eritrea continues to support armed opposition groups from neighbouring countries, notably the Somalia-based Ogaden National Liberation Front (ONLF), the Tigray People's Democratic Movement (TPDM), and Ginbot Sebat. The scale and pattern of Eritrea's support for these regional armed groups is not uniform and it differs from one group to the other.

In the case of ONLF, Eritrea is violating resolution 1907 (2009) by supporting an Ethiopian armed opposition group deployed to and operating in Somali territory. Asmara reactivated its contacts with the group's leadership in 2013 at a time when ONLF made the strategic decision to shift its bases to Mogadishu. In August 2013, Asmara hosted a conference to raise funds for ONLF and develop a military strategy. Senior Eritrean officials and ONLF central committee members were present at the conference.

The Monitoring Group understands that Eritrea continued to provide logistical and financial support to ONLF after it relocated its operational base to Mogadishu and was purchasing weapons in Somalia. Moreover, the Monitoring Group received testimonials that ONLF and Al-Shabaab had shifted away from their traditionally hostile relationship and the two movements appear to have forged a logistical entente that is facilitating ONLF operations inside Somalia and that has allowed ONLF to move with ease through territory controlled by Al-Shabaab in Somalia.

The Monitoring Group received credible information that Eritrea continues to support TPDM, which appears to have become the most important Ethiopian opposition group based inside Eritrea. The Monitoring Group received information that weapons in the logistics department of the Eritrean Defence Forces (EDF) are being systematically transferred to TPDM but was unable to verify the information.

It appears that Eritrea continues to provide a level of logistical and military support to Ginbot Sebat under the direction of Colonel Fitsum Yishak. The Monitoring Group cannot, however, assess the extent and consistency of this support as compared with Asmara's support for Ginbot Sebat in the past.

The Government of Eritrea continues not to disclose its budget and appropriations, and the country's annual budget is not publically available. This lack of financial transparency creates structural ambiguities and limits effective monitoring of the country's compliance with resolution 1907 (2009).

It is the assessment of the Monitoring Group that senior Eritrean officials continue to collect millions of dollars per year through unofficial revenues by means of private business arrangements involving PFDJ-run companies domestically and abroad. The Government of Eritrea maintains a global financial structure that is not registered in the name of PFDJ and that includes tax havens, secret trusts and companies incorporated under the names of officials and, in most cases, the names of private individuals.

The Government of Eritrea continues to impose a variety of extraterritorial taxation requirements on Eritrean citizens abroad and foreign nationals of Eritrean descent. The Monitoring Group received various credible testimonies that Eritrean officials are resorting to coercive measures in order to extract payment from Eritrean nationals, including denying passport issuance and exit visas, and blocking individuals from shipping goods to Eritrea unless receipt of payment or clearance has been presented to the authorities.

The Monitoring Group investigated whether hard currency from mining revenues is channelled through the financial structures of the Government of Eritrea for the purpose of supporting activities that would constitute a violation of resolution 1907 (2009). The Monitoring Group reviewed hundreds of financial records related to mining activities and it did not identify any suspicious transfers, but given the opacity of Eritrea's financial management and lack of budget appropriations, the Group cannot definitively rule out the possibility that funds derived from mining activities are being diverted to finance violations of resolution 1907 (2009).

The Monitoring Group continues to note the lack of any progress on article 3 concerning prisoners of war of the Comprehensive Agreement, signed on 6 June 2010 by Djibouti and Eritrea under the auspices of the Government of Qatar. Djiboutian officials informed the Monitoring Group that there are still 17 Djiboutians being held by Eritrea. Well-informed sources with contacts within the Qatari and Djiboutian leaderships told the Monitoring Group that the mediation process has stalled. The Government of Eritrea has yet to acknowledge that it holds Djiboutian combatants or to provide information on their current condition.

I. Introduction

A. Mandate

1. The mandate of the Monitoring Group on Somalia and Eritrea, as set out in paragraph 13 of Security Council resolution 2060 (2012), was extended by the Council in paragraph 27 of Security Council resolution 2111 (2013), which was adopted on 24 July 2013.. Additional tasks were assigned to the Monitoring Group under resolutions 2093 (2013) and 2142 (2014).

2. Pursuant to paragraph 27 of resolution 2111 (2013) and paragraph 13 (l) of resolution 2060 (2012), the Monitoring Group provided the Security Council, through its Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee"), a midterm briefing on 27 March 2014. The Monitoring Group also submitted monthly progress reports to the Committee throughout the period of its mandate.

3. In the course of their investigations, members of the Monitoring Group travelled to Australia, Bahrain, Belgium, Cyprus, Djibouti, Egypt, Ethiopia, France, Germany, India, Italy, Kyrgyzstan, the Netherlands, Norway, Qatar, Saudi Arabia, the Seychelles, Somalia, South Africa, South Sudan, Spain, Sweden, Turkey, Uganda, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland and the United States of America. In Somalia, members of the Monitoring Group were able to undertake regular visits to Mogadishu, Hargeisa and Garowe, but much of the south of the country remained inaccessible. However, the Government of Eritrea did not permit the Monitoring Group to travel to Asmara or conduct its investigations inside Eritrea.

4. The Monitoring Group was based in Nairobi and comprised the following experts: Jarat Chopra (Coordinator), Nicholas Argeros (finance), Zeina Awad (transport), Déirdre Clancy (humanitarian), Joakim Gundel (arms), Dinesh Mahtani (finance), Jörg Roofthooft (maritime) and Babatunde Taiwo (armed groups). One expert, Babatunde Taiwo, was temporarily relocated outside Kenya as of September 2013.

B. Methodology

5. The evidentiary standards and verification processes outlined in the previous reports of the Monitoring Group apply to work conducted during the mandate under review. The Monitoring Group reaffirmed its methodology pursuant to its previous reports (most recently, S/2013/413 of 12 July 2013 and S/2013/440 of 25 July 2013). The methodology used for the current report is as follows:

(a) Collecting information on events and topics from multiple sources, where possible;

(b) Collecting information from sources with first-hand knowledge of events, where possible;

(c) Identifying consistency in patterns of information and comparing existing knowledge with new information and emerging trends;

(d) Continuously factoring in the expertise and judgement of the relevant expert of the Monitoring Group and the collective assessment of the Group with respect to the credibility of information and the reliability of sources;

(e) Obtaining physical, photographic, audio, video and/or documentary evidence in support of the information collected.

6. The Monitoring Group made a deliberate and systematic effort to gain access to those involved in potential violations by way of individuals who have direct knowledge or who know people who have direct knowledge about details of potential violations. In its investigations, the Group conducted upwards of 100 meetings with a broad diversity of sources, including Member States, non-governmental organizations (NGOs), the Eritrean diaspora, former officials of the Government of Eritrea and current Government officials indirectly. In particular, the Group received confidential briefings from Member States and regional organizations, and the types of individuals it met with included diplomats, military intelligence, air force and other military personnel, armed group fighters, and businessmen involved in money transfer organizations, the import/export sector, the service industry and traders, especially in places where Eritrean business interests are predominant. From these various sources, the Monitoring Group received witness testimony, photographic evidence, and confidential and open source documentation. The Group assessed hundreds of documents to determine relevance for the report. Ultimately, the Group sought information from the Government of Eritrea through direct meetings and official correspondence (as described in sect. C below).

7. In conformity with past guidance provided by the Committee, the Monitoring Group endeavoured to include as much of the testimony and evidence as possible in its final report. However, General Assembly resolutions on the control and limitation of documentation, in particular resolutions 52/214, 53/208 and 59/265, necessitated the use of annexes, preventing much of the substance from being translated. In addition, regulations exclude the insertion of maps, photographs and charts in the main report.

C. Engagement with the Government of Eritrea

8. The Security Council, in paragraph 31 of its resolution 2111 (2013), underlined the importance of engagement between the Government of Eritrea and the Monitoring Group. On 13 September 2013, the Monitoring Group and the United Nations Secretariat met with officials at the Permanent Mission of Eritrea to the United Nations to introduce the Group's new Eritrea team. In addition, the Monitoring Group proposed to Eritrea modalities for constructive engagement through a structured process of meetings that could be supported by Member States. Subsequently, on 8 December, the Chair of the Committee organized a meeting outside Eritrea, in Paris, between the Monitoring Group and Mr. Yemane Gebreab, Senior Political Adviser to the President of Eritrea, and Ambassador Araya Desta, then Permanent Representative of Eritrea to the United Nations, to discuss a way forward for engagement. On 13 December, the Chair circulated a note to this effect to the Committee (S/AC.29/2013/NOTE.117/Add.1). On 20 December, the Secretary-General of the United Nations transmitted to the Chair of the Committee a letter dated 3 December 2013 from the President of Eritrea, Mr. Isaias Afwerki,

calling upon the Security Council "to rectify the 'erroneous sanctions' resolution", which was circulated to the Committee on 26 December 2013 (S/AC.29/2013/NOTE.120).

9. On 14 February 2014, in Cairo, a second meeting was convened under the auspices of the Chair of the Committee between the Monitoring Group and the Government of Eritrea, represented by Mr. Gebreab, and in the presence of representatives of the Permanent Mission of the Republic of Korea to the United Nations and the Security Council Subsidiary Organs Branch, Security Council Affairs Division of the United Nations Secretariat. In advance of its midterm briefing to the Committee, the Monitoring Group discussed, among other things, investigations, information requests agreed to or offered by Mr. Gebreab, and the possibility of a visit to Asmara. Following the meeting, on 19 February 2014, the Chair circulated a note to the Committee (S/AC.29/2014/NOTE.19/Add.1). In addition, on 7 March 2014, prior to its midterm briefing, the Monitoring Group wrote a letter to the Permanent Mission of Eritrea to the United Nations, copied to the Committee, that reflected the content of the exchanges between the Monitoring Group and Mr. Gebreab in Cairo, including the possibility of a visit to Asmara, and specifically outlined the information requests which Mr. Gebreab had committed to fulfilling (see annex 1).

10. On 25 March 2014, the Monitoring Group and the Chief of the Security Council Subsidiary Organs Branch met with officials at the Permanent Mission of Eritrea to the United Nations in New York. In the discussions, the possibility of another meeting between the Monitoring Group and the Government of Eritrea was raised in order for the Monitoring Group to provide visibility on its final report and for Eritrean authorities to provide their views in response. Since the Monitoring Group had not yet received a reply to the information requests agreed in Cairo, the point was made that, given the limited time available before submission of its final reports to the Committee, Eritrean authorities would need to respond more quickly than they had following the Cairo meeting if their views were to be reflected by the Monitoring Group in its final report on Eritrea. On 27 March 2014, the Monitoring Group presented to the Committee its midterm briefing, the contents on Eritrea of which were consistent with the discussions in Cairo and the letter of 7 March 2014 of the Monitoring Group to Eritrean authorities. On 15 April 2014, the Permanent Mission of Eritrea transmitted a letter addressed to the Chair of the Committee that objected to the contents of the midterm briefing of the Monitoring Group and called on the Security Council to lift the sanctions imposed on Eritrea (S/AC.29/2014/COMM.39). Meanwhile, there was no further discussion of a visit of the Monitoring Group to Asmara and the Group did not receive any responses to its information requests agreed in Cairo.

11. On 28 July 2014, a New York and Nairobi videoconference was organized under the auspices of the Chair of the Committee between the Monitoring Group and the Government of Eritrea, represented by Ambassador Girma Asmerom Tesfay, the Permanent Representative of Eritrea to the United Nations, with his staff, and in the presence of the Chair, as well as the Acting Secretary of the Committee and the Chief of the Security Council Subsidiary Organs Branch. In advance of completion of its final report on Eritrea, the Monitoring Group presented the preliminary findings of its lines of investigation and sought the views of the Government. In doing so, the Group requested relevant information and posed questions to this effect.

12. At the outset of the videoconference, Ambassador Tesfay provided a set of documents in response to the letter of the Monitoring Group dated 7 March 2014, which had been sent following the meeting in Cairo and contained the information requests which Mr. Gebreab committed to fulfilling. These documents were circulated to the Committee on 28 July 2014 (see annex 2). However, upon review of the documents, the Group found that they did not fully address the issues raised in Cairo that were reflected in the Group's letter of 7 March 2014. On 1 August 2014, the Monitoring Group sent a letter to Ambassador Tesfay, which outlined the findings presented during the videoconference and pending or additional information requests (see annex 3). Meanwhile, on 7 August 2014, the Permanent Mission of Ethiopia to the United Nations addressed a letter to the Committee stating that one of the documents provided on 28 July 2014 was "a fabrication by Eritrea".

13. Thereafter, on 13 August 2014, the Government of Eritrea sent a response to the letter of the Monitoring Group dated 1 August 2014, which was circulated to the Committee (see annex 4). Again, upon review of the response, the Group found that the response did not fully address the information requests it had made and the questions it had posed to the Government. Consequently, the Monitoring Group has drawn what it could from its meetings with Eritrean authorities and the documents provided in order to reflect the views of the Government of Eritrea in the present report, and has included in annexes 1 to 4 the exchanges of communication pertaining to the engagement between the Monitoring Group and the Government, which has occurred outside of Eritrea.

II. Violations of the general and complete arms embargo

14. Paragraphs 5 and 6 of Security Council resolution 1907 (2009) require all Member States to take the measures necessary to prevent the sale or supply to Eritrea by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, and technical assistance, training, financial and other assistance, related to the military activities or to the provision, manufacture, maintenance or use of these items, whether or not originating in their territories.

15. The Monitoring Group investigated allegations of violations of the arms embargo by Eritrea, as imposed by Security Council resolution 1907 (2009). The Group received corroborating testimonials and documentation that Eritrea imported weapons and ammunition from the State of Kassala in the eastern region of the Sudan on multiple occasions. The Monitoring Group also received information that Eritrea provided military and logistical support to three armed rebel groups in South Sudan: the Sudan People's Liberation Army in Opposition (SPLA-O) forces loyal to former Vice President Riek Machar, the David Yau Yau group, and George Athor Deng's rebel forces.[1] However, in the case of South Sudan, the Monitoring Group could not substantiate or confirm the allegations that Eritrea had violated resolution

[1] Interview with senior officials from Military Intelligence and External Intelligence, Juba, 18 November 2013. The claims were also corroborated during subsequent interviews with the Directorate General of Internal Security, 5 March 2014, and senior officials from the Counter-Terrorism Unit of External Intelligence, 5 March 2014.

1907 (2009) by providing military and logistical support to armed rebel groups in South Sudan.

16. Pursuant to paragraph 13 (f) of resolution 2060 (2012), the Monitoring Group investigated the means of transport, routes, seaports, airports and other facilities to determine whether Eritrea violated the arms embargo in eastern Sudan and South Sudan.

A. The case of eastern Sudan

17. The Monitoring Group has in the past reported on smuggling activities between eastern Sudan and western Eritrea. In 2011, the Group found that the cross-border operations between Eritrea and the Sudan provided a key source of illicit financing for Eritrean officials and regional armed groups. The Group named Mohammed Mantai, the ambassador of Eritrea to the Sudan at the time, as the chief coordinator of Eritrean activities out of the Sudan, and General Teklai Kifle "Manjus" as the overseer of cross-border smuggling operations (see S/2011/433, paras. 415-420). In 2013, the Monitoring Group reported that Mr. Mantai continued to be involved in smuggling activities between Eritrea and the Sudan. Moreover, the Group reported that Eritrea had moved the coordination of financial transfers to certain regional armed groups from its embassy in Nairobi to its embassy in Khartoum (see S/2013/440, paras. 56-67).

18. The Monitoring Group has further investigated cross-border relations between Eritrea and the Sudan, and based on its findings detailed below, the Group can confirm that the weapons trade between eastern Sudan and Eritrea is ongoing. The Monitoring Group received information about three weapons deliveries to Eritrea from individuals directly involved in the deliveries on the following dates: 22 February, 9 March and 16 April 2014. It also obtained documentation that shows details of the delivery on 22 February 2014.

Eritrea's influence in eastern Sudan

19. The states of Kassala, Gedaref, and the Red Sea make up the region known as eastern Sudan. The area has long been known for smuggling activities, in which weapons trafficking is part of a larger criminal enterprise that includes the illegal movement of goods and humans between Eritrea and the Sudan.[2] Senior European diplomatic sources have told the Monitoring Group that they are aware of and concerned by the illicit weapon routes that end in Port Sudan, the capital of the Red Sea State, and Massawa on the Red Sea coast of Eritrea.[3]

20. As Eritrea grew more isolated regionally, eastern Sudan became a more crucial gateway for Eritrea. A shared border, common kinship, and a long history of political involvement in the Sudan all give the Government of Eritrea a distinct advantage in the region. The two countries share a 660 km-long undemarcated

[2] Interview with a former Eritrean ambassador to the Sudan in October 2013; interview with a former senior Eritrean official in December 2013; interview with a former Sudanese intelligence operative, who was stationed in the east until the autumn of 2013, in June and August 2014; Skype interview with a member of the Beja Congress in January 2014; and interviews with a former senior PFDJ official in December 2013, March 2014 and April 2014.

[3] Interview with a former senior naval officer from a European Member State in April 2014.

border where their citizens and goods can move freely without visas and with minimal restrictions.[4] Eastern Sudan is often the first point of entry for Eritreans seeking refuge. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), in 2013 the majority of Eritrean refugees resided in the Sudan.[5] Moreover, there are a number of tribes that live in the border areas of the two countries, including the Bejas, Beni Amer, and Rachaidas.

21. The political involvement of Eritrea in eastern Sudan has also allowed it to forge and maintain deep relationships with tribes as well as with the region's political and military establishments. Eritrea began training and arming various ethnic groups agitating for more autonomy in the east as far back as 1993.[6] Asmara mediated the Eastern Sudan Peace Agreement of 2006 between the ruling National Congress Party (NCP) and the Eastern Front, the coalition fighting for greater power and more equitable wealth sharing for the eastern states of the Sudan.[7] A confidential diplomatic cable sent a few years after the signing of the Agreement described Eritrea's successful mediation efforts as "Eritrea's most significant accomplishment" in implementing its strategy of achieving a Sudan "dominated by the formerly marginalized periphery, indebted to Eritrea for political and other support along the way, [guaranteeing] a pro-Eritrea Sudan".[8]

22. The Monitoring Group received multiple reports about a number of regional and national Sudanese officials who act as agents of Asmara. Governor Mohamed Taher Aila was consistently identified for his close personal relationship with President Afwerki.[9] Mr. Aila is Governor of the Red Sea State that includes the strategically located seaport in the capital, Port Sudan. The Rashaida tribe has also been identified as one that works closely with Eritrea, especially on cross-border smuggling and security-related matters.[10] The International Crisis Group reported on 8 August 2014 that in 2013, General Manjus subcontracted border policing to Rashaida paramilitary groups that Eritrea had trained in the past. General Manjus tasked them to fire at Eritrean deserters in an effort to implement a shoot-to-kill

[4] The length of the border is based on information from UNHCR, available from www.unhcr.org/51407fc69.pdf.

[5] On 6 June 2014, UNHCR issued a report stating there were 109,600 Eritrean refugees in the Sudan in 2013; available from www.unhcr.org/5399a14f9.html.

[6] See www.crisisgroup.org/~/media/Files/africa/horn-of-africa/sudan/209-sudan-preserving-peace-in-the-east.pdf.

[7] The Eastern Front was formed in 2005 and backed by Eritrea from the outset. It is a coalition of two ethnically based rebel groups, the Beja Congress and the Rashaida Free Lions.

[8] Confidential diplomatic cable issued on 8 January 2008.

[9] Interview with a former Sudanese military intelligence officer in February 2014; interview with an Eritrean political analyst with close contacts in Sudan, Djibouti, and Ethiopia in February 2014; interviews with former senior PFDJ official in December 2013, March 2014, and April 2014; Skype interview with a member of the Beja Congress in January 2014; interview with a former SPLM official from eastern Sudan, who lived in Eritrea for 7 years, in August 2014.

[10] A number of Sudanese intelligence operatives told the Monitoring Group that the Rashaidas are involved in cross-border trafficking; interview with an Eritrean political analyst with close contacts in the Sudan, Djibouti, and Ethiopia in February 2014; interview with a former SPLM official from Eastern Sudan, who lived in Eritrea for seven years, in August 2014; interview with a former senior Eritrean official in December 2013. UNHCR also documented the role of the Rashaidas in human trafficking. For further information, see www.unhcr.org/51407fc69.pdf.

policy against those caught trying to flee their country. The Rashaidas were reportedly deployed on both sides of the border between Eritrea and the Sudan.[11]

23. Moreover, the relationship between the two countries has shown signs of improving steadily during the past few years. Sudanese and Eritrean officials have visited each other's countries on numerous occasions and vowed to work towards closer cooperation. President Afwerki himself visited the Sudan in May 2014, where he met his Sudanese counterpart, Omar al Bashir, and they signed a broad commercial and trade agreement.[12] The Monitoring Group received reports that Khartoum deported members of the Eritrean opposition back to Eritrea during that same period and that the deportation order was issued as a result of President Afwerki's visit.[13] A former high-ranking Eritrean official, who was closely involved with the negotiations between NCP and the Eastern Front, told the Monitoring Group that "commercial agreements between the Sudan and Eritrea are also security agreements that reflect the security realities of the two countries".[14] The reality for Eritrea, given its adversarial and strained relationship with neighbours Ethiopia and Djibouti, is that the Sudan offers it the only relatively secure route to bring in goods by land, from fuel and household items to weaponry.

Weapons trafficking from eastern Sudan

24. Little is known about the arms smuggling trade between Eritrea and the Sudan, unlike human trafficking, which has been documented in detail.[15] This is due in part to the clandestine nature of the trade and the fear of those involved in it that any information they share with a third party would trigger military action inside the Sudan.[16] Moreover, unlike in previous years when the Monitoring Group travelled to Khartoum to conduct interviews related to its investigations, the Group did not visit the Sudan during the course of its current mandate because one of its former experts was declared persona non grata after a team of experts visited Khartoum at the end of 2010.

25. Nevertheless, the Monitoring Group has developed more than a dozen Sudanese and Eritrean sources with first-hand knowledge of eastern Sudan and western Eritrea, both on the ground and in diaspora communities in the Middle East, Africa and Western Europe. Based on extensive interviews, credible information,

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[11] See "Eritrea: Ending the Exodus?", briefing on 8 August 2014, available from www.crisisgroup.org/~/media/Files/africa/horn-of-africa/ethiopia-eritrea/b100-eritrea-ending-the-exodus.pdf.

[12] A number of former senior Eritrean officials told the Monitoring Group about the details of the meeting. The meeting was also reported in the local press. See www.sudantribune.com/spip.php?article50953.

[13] Interview with an Eritrean political advisor with close contacts in the Sudan, Djibouti and Ethiopia in February 2014; interview with a Sudanese intelligence operative in June 2014; interview with a former Sudanese intelligence operative, who was stationed in the east until 2013, in August 2014.

[14] Interview with a former senior Eritrean official in December 2013.

[15] See www.hrw.org/reports/2014/02/11/i-wanted-lie-down-and-die-0 and http://www.unhcr.org/51407fc69.pdf.

[16] Sudanese sources with direct knowledge of weapon trafficking between Eritrea and the Sudan that the Monitoring Group spoke to repeatedly voiced this concern.

photographic evidence and documentation, the Monitoring Group understands that weapons are being imported from eastern Sudan into Eritrea on a regular basis.[17]

26. The trafficking route that the Monitoring Group investigated links Kassala in the Sudan to the Laffa border town on the Sudanese side of the border, and into Teseney in Eritrea (see annex 5.1 for map). The landscape of the areas in question is made up of large deserted swaths of land. There are small informal roads in the area, as well as a highway opened in June 2011 that connects eastern Sudan with western Eritrea. According to individuals familiar with the terrain, people and vehicles can move around in these areas with relative ease and anonymity.[18]

27. The Monitoring Group received credible information about a small arms depot that is providing some of the weapons being smuggled into Eritrea from the Kassala region. The Group obtained the coordinates of the Kassala depot, and two former Sudanese intelligence operatives with field experience in the region independently confirmed the depot's location and function.[19] The Group also received images of the area around the depot as well as photographs and a video showing the inside of it, including photographs of military trucks, ammunition, and rocket propelled grenades (RPG), which appear to be identical to RPG rockets produced in the Sudan[20] (see annexes 5.2 to 5.4 for photographs). A former high-ranking People's Front for Democracy and Justice (PFDJ) official confirmed to the Monitoring Group that he has seen the same type of RPG rockets being stockpiled in the main weapons depot in Asmara at the end of 2012.[21] Small Arms Survey has documented an influx of new Sudanese weapons and ammunition in regional conflicts, suggesting that the country's domestic weapons manufacturing industry is growing and supplying countries and armed groups in the Horn of Africa with weapons, including rockets.[22]

28. Based on confidential sources, the Monitoring Group has identified three deliveries that left the depot in Kassala for Teseney in Eritrea on the following dates: 22 February, 9 March and 16 April 2014. The Monitoring Group received this information throughout the course of its mandate and as the deliveries were reportedly being made. While it is difficult to obtain documents showing details of weapon movements because of forged bills of lading and informal inventory listing methods, the Monitoring Group received four documents that show the following:

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[17] This is based on extensive interviews with Eritrean and Sudanese sources with first-hand knowledge of the subject.

[18] The terrain was described to the Monitoring Group by a former SPLM official from eastern Sudan who lived in Eritrea for seven years in an interview in August 2014; a Sudanese intelligence operative in an interview in June 2014; and in an interview in February 2014 with a Sudanese refugee who crossed from eastern Sudan into Teseney.

[19] One of the operatives was stationed in the region until 2013. The Monitoring Group cannot disclose any more information about the depot or the sources involved for reasons of confidentiality and security.

[20] Interview with an expert in Sudanese-manufactured weapons in Nairobi in May 2014, in which the expert inspected the photographs and video obtained by the Monitoring Group.

[21] Interviews with a former senior PFDJ official on 12 December 2013 and 22 March 2014.

[22] Jonah Leff and Emile LeBrun, *Following the Thread: Arms and Ammunition Tracing in Sudan and South Sudan*, Small Arms Survey, (Geneva, May 2014), available from www.smallarmssurveysudan.org/fileadmin/docs/working-papers/HSBA-WP32-Arms-Tracing.pdf.

- Laissez-passer permit for a shipment from Kassala to Eritrea dated 9 March 2014
- Inventory list of weapons heading for Eritrea that is undated and delivered to the Group in conjunction with the laissez-passer. The weapons listed are 50 Kalashnikovs, 20 PKM machine guns, and 10 Doshkas
- A complete inventory of the ammunition inside the depot as at 22 February 2014. The following is outlined for ammunition: 600 for Kalashnikovs; 900 for PKM machine guns; 500 for Tirabs, a Sudanese copy of the Chinese CQ rifle; 300 for Doshkas; 16 for RPGs; 10 rounds for SPG-9 guns
- Inventory list of armament destined for Eritrea dated 22 February 2014. The weapons listed are 10 Kalashnikovs, 10 RPGs, and 3 mortar tubes. The ammunition listed is 200 for Doshkas, 500 for Kalashnikovs, 30 for RPGs, and 9 for mortar ammunition

29. The Monitoring Group carefully inspected all four documents. It found the first two to contain incomplete information and it is continuing to investigate them. The documents dated on 22 February 2014 are included in annex 5.5. Both were signed by Omar al Naqi, Brigadier General of the Sudanese Armed Forces and director of general security in Kassala at the time.[23]

30. The Monitoring Group cannot assess whether these transfers are leakages of weapons organized by private individuals, or whether the deliveries were organized by the Government of the Sudan. What the Group can affirm, based on multiple corroborating testimonials, is that the arms trade with Eritrea is taking place with the knowledge and, in some cases, facilitation of officials and security forces on both sides of the border. The implication of local officials in the broader illegal trade that includes weapons is corroborated by the findings of a number of NGOs, including Human Rights Watch, which found that in 2013 Sudanese security forces (police and military) were participating in the human trafficking of Eritreans.[24]

31. In Eritrea, Nusredin Ali Bekit, who was the manager of the Teseney branch of the Red Sea Corporation until July 2014, has been identified for his role in the trafficking of weapons from eastern Sudan.[25] Bekit has since then been promoted to Minister of Trade and Industry. The Monitoring Group received information that Bekit was reporting to Colonel Tesfadelt Habteselasie in the President's Office.[26] A former high-ranking PFDJ official with direct knowledge of trade and financing in Eritrea told the Monitoring Group that:

> Habteselasie is in full control of the shipments and responsible for ensuring that distribution takes place after receiving direct orders from the Office of the President. Bekit is the consignee of the arms shipments and the receiver. Bekit

[23] Omar al Naqi Ahmed's identity was independently verified by a former Sudanese intelligence operative who was stationed in the east until 2013 in an interview in August 2014.

[24] See www.hrw.org/sites/default/files/reports/egypt0214_ForUpload_1.pdf.

[25] Interview with Dubai-based Eritrean money transfer organization (hawala) businessman with connections to the Eritrean consulate and trading community in Dubai in May 2014; interview with a former senior PFDJ official in March 2014; interview with former senior Eritrean official in December 2013; and interview with a Gulf-based Eritrean diplomat, who was involved in procurement, in June 2014.

[26] Interview with a former senior PFDJ official in March 2014 and April 2014; and confidential intelligence briefing by a regional Member State in February 2014.

has personal relationships with traffickers in the Sudan and he is in charge of distribution. He receives the shipments, which usually include Kalashnikovs, AK-47s and ammunition, and he sells them in United States dollars and then carries the cash directly to the Office of the President. The cash is deposited with Eritrea's Housing and Commerce Bank in United States dollars. The financial instruments used to make the shipments such as bill of lading and certificate of origin are all forged and they do not show the true contents of the deliveries. The weapons coming in from the Sudan are coming in with unofficial bills of lading, and with the knowledge of Sudanese Government officials.[27]

32. Based on multiple independent and corroborating testimonials, documents obtained, and confidential briefings held, it is the assessment of the Monitoring Group that Eritrea is violating Security Council resolution 1907 (2009) by importing weapons and ammunition from eastern Sudan and with the knowledge and direction of Eritrean officials affiliated with the President's Office.

33. The Monitoring Group asked the Government of Eritrea to clarify its relationship with the Sudan and to provide details about the roles of Colonel Habteselasie and Mr. Bekit, during its videoconference with Ambassador Tesfay on 28 July 2014. Ambassador Tesfay told the Monitoring Group that Eritrea has a policy of regional integration and trade that is strictly economic in nature and included the Sudan, with whom Eritrea had good relations. Ambassador Tesfay also denied that Eritrea was smuggling weapons from the Sudan. Subsequently, in a letter dated 13 August 2014, the Government of Eritrea stated that Colonel Habteselasie and Mr. Bekit were government officials and as such "are not, and cannot be, involved in illicit acts of the smuggling of weapons. Colonel Habteselasie is Head of Communications in the Office of the President. Mr. Nusredin Bekit was Regional Manager of Red Sea Corporations in the past years prior to his appointment as the Minister of Trade and Industry" (see annex 4).

B. The case of South Sudan

34. The history of Eritrea is marked by relationships with opposition groups operating in South Sudan. The Government of Eritrea provided military support to SPLM through the National Democratic Alliance (NDA), an alliance of different political parties and armed groups that jointly opposed the regime in Khartoum. Eritrea continuously provided training and equipment to NDA from the mid-1990s until the signing of the Comprehensive Peace Agreement in 2005 that ended the conflict between the central Government and the southern rebels.[28] Eritrea provided military supplies to SPLA, primarily through eastern Sudan, where SPLA had deployed forces along with other armed NDA groups.[29] In the early 2000s, relations between the Sudan and Eritrea improved. The two countries upgraded their diplomatic relations and agreed to strengthen their economic and political ties. Moreover, accusations of supporting each other's opposition groups gradually

[27] Interviews with a former senior PFDJ official in March 2014 and April 2014.

[28] See www.hrw.org/sites/default/files/reports/sudan0898%20Report.pdf.

[29] See S/2011/433, para. 328. In addition, testimonies were provided by several individuals throughout the mandate who are familiar with the historic relationships of the Sudan, South Sudan, and Eritrea, including current senior officials from the Government of South Sudan.

subsided.[30] Meanwhile, relations between Eritrea and the leaders of the newly independent South Sudan appear to have deteriorated. Experts on the Sudan have told the Monitoring Group that President Afwerki was troubled with the perceived strengthening of the relationship between South Sudan, Ethiopia and the Intergovernmental Authority on Development.[31]

Support to Sudan People's Liberation Army in Opposition forces loyal to Riek Machar

35. In December 2013, growing tensions between key leadership figures in South Sudan led to an eruption of violence. The underlying reason for the current civil war in South Sudan mostly lies in the country's deep mistrust among its leaders and ethnic groups that dates back to the civil war in the Sudan (1983-2005).[32] In early 2013, the President of South Sudan, Salva Kiir Mayardit, initiated major changes to his government as part of a broad effort to address issues of corruption and minimize alleged threats against his leadership, as well as to appease tensions with Khartoum. In June 2013, President Kiir removed two key members of his cabinet based on allegations of corruption. He also removed his Vice President, Riek Machar, and the ruling party's Secretary-General, Pagan Amum Okech. What began as a political power struggle between President Kiir and Machar, turned into a civil conflict along ethnic lines with the Nuer supporting Machar against the predominantly Dinka supporting President Kiir. With the escalation of violence, the United Nations estimates that thousands have been killed, more than 1.1 million have been internally displaced and at least 800,000 persons have sought refuge in neighbouring countries.[33]

36. As the conflict intensified, reports of Eritrean support for Machar's forces began to surface.[34] The Monitoring Group visited Juba on three different occasions as part of its investigation into these allegations.[35] Senior Government officials of South Sudan informed the Monitoring Group that a Hercules C-130 was observed making four deliveries of equipment:

- 14 January 2014: Gadiang, Jonglei State
- 24 January 2014: Leer (or Ler), Unity State
- 25 February 2014: Galachel, south-east of Malakal town
- 28 February 2014: near Panyikang, South Malakal

37. A senior official from the South Sudan Military Intelligence informed the Monitoring Group that the South Sudanese army had evidence of a drop-off carried out by Eritrea that took place in Jonglei State, approximately 80 km north-east of

[30] See www.sudantribune.com/spip.php?article46924.

[31] Interview with an Eritrean expert in Addis Ababa in February 2014; confidential European diplomatic briefing, November 2013; and interview with a former Eritrean intelligence officer in November 2013, Nairobi.

[32] Congressional Research Service. "The crisis in South Sudan", 9 January 2014.

[33] United Nations Office for the Coordination of Humanitarian Affairs, "South Sudan crisis: situation report as of 7 January 2014", Report number 8, 7 January 2014, available from www.unocha.org/south-sudan/.

[34] See www.sudantribune.com/spip.php?article50354 and http://allafrica.com/stories/201403200472.html.

[35] The Monitoring Group visited Juba three times in November 2013, and in March 2014.

Bor. The senior official stated that among the items seized, there were AK-47s, mortars and anti-aircraft ammunition.[36]

38. The Monitoring Group requested the Government of South Sudan to provide the Group with evidence of the above allegations on three separate occasions. To date, no evidence has been provided and the Monitoring Group has been unable to independently verify the allegations that Eritrea violated resolution 1907 (2009).

39. The Monitoring Group consulted with Member States and independent sources that visited a number of conflict zones in South Sudan where allegations of Eritrean drop-offs took place, all of which said that there was no evidence to substantiate the claims that Eritrea provided military and logistical support to armed rebels supporting Mr. Machar.[37] This includes an arms expert who inspected a cache of weapons captured in Southern Unity State. The expert concluded that the weapons were supplied by northern Sudanese forces and most likely came directly from Khartoum.[38] Finally, a confidential regional intelligence report provided to the Monitoring Group by a Member State did not match nor corroborate the dates that were given to the Monitoring Group by South Sudanese officials for the alleged Eritrean drop-offs.

David Yau Yau rebellion

40. David Yau Yau was a militia leader, based in Jonglei State, involved in an armed struggle in Pibor County in eastern South Sudan. Yau Yau started his rebellion against the Government of South Sudan in 2010 after losing a parliamentary election in Pibor County. With the support of his Murle tribesmen located in south-east Jonglei State, Yau Yau refused to concede defeat and launched an insurgency. In 2012, David Yau Yau initiated another rebellion against the Government, again in Pibor County. On 7 January 2014, South Sudanese officials announced that they had reached a ceasefire with David Yau Yau's rebel forces.[39]

41. Senior officials of the Government of South Sudan informed the Monitoring Group that Eritrea had provided logistical support as well as training and weapons to the Yau Yau rebels on several occasions. In addition, the officials stated that they had captured a cache of arms in May 2013.[40] The South Sudanese authorities described the cache as including hundreds of AK-47s, G-3 Iranian-made rifles, as well as other logistics, such as equipment, food, sugar and batteries, but did not specify to the Group the actual quantities of weapons and ammunition that they had seized.

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[36] Interview with senior officials from Military Intelligence and External Intelligence, Juba, November 2013. The claims were also collaborated during subsequent interviews with the Directorate General of Internal Security in March 2014, and senior officials from the Counter-Terrorism Unit of External Intelligence, March 2014.

[37] Briefings provided by three Member States that have an interest in South Sudan and the Horn of Africa throughout the course of the mandate. Interview with an NGO with considerable operations across South Sudan, in April 2014.

[38] Skype communications with a confidential source who spent significant amount of time in conflict areas in South Sudan inspecting arms and ammunition, June 2014.

[39] See http://southsudantoday.net/default/2014/02/05/yau-yau-rebels-sign-a-cease-fire/.

[40] Interview with senior officials from Military Intelligence, Juba, November 2013. The claims were also corroborated during subsequent interviews with the Directorate of Internal Security in March 2014, and senior officials from the Counter-Terrorism Unit of External Intelligence, in March 2014.

42. The officials also told the Monitoring Group that Eritreans had utilized an airstrip to provide logistical and military support to the rebels. Moreover, according to an intelligence report obtained by the Monitoring Group, Eritrean support to the Yau Yau rebellion was indirect support for the Gambella Democratic Movement and Army (GDM/A), an Ethiopian rebel group to whom Yau Yau had given sanctuary in Pibor County. David Yau Yau provided shelter to GDM/A in exchange for weapons and logistics, while GDM/A enjoyed the protection of David Yau Yau's forces. This protection enabled GDM/A to recruit Anyuaks within South Sudan in order to launch attacks in western Ethiopia, in the territories of Gambella, Pinyuodo and areas along the Baro River at the border of South Sudan and Ethiopia.[41]

43. Despite the express commitment by South Sudanese authorities that evidence would be provided to the Monitoring Group for inspection and verification, the Group was not given the opportunity to see evidence that the Eritrean Government provided weapons and ammunitions to the Yau Yau rebel forces.

Support to Lieutenant-General George Athor Deng

44. Senior officials of the Government of South Sudan informed the Monitoring Group that they had captured military and logistical equipment that Eritrea had provided to George Athor's rebels.[42] Again, despite repeated assurances by South Sudanese officials that they would make the arms available to the Monitoring Group for inspection, the Group was not presented with evidence.

45. Meanwhile, the Monitoring Group obtained testimony from Peter Kuol Choi Awan, the former deputy commander of Lieutenant-General George Athor's rebel forces, asserting the same allegations as those of the Government of South Sudan.[43] George Athor established the South Sudan Democratic Movement/Army (SSDM/A) and led an insurrection against SPLA after failing to get elected as Governor of Jonglei State in 2010. David Yau Yau's faction, also known as SSDM/A — Cobra, has been affiliated with the broader SSDM/A movement since 2010, when George Athor was the overall commander. However, the affiliation between both groups ended following the death of Athor in December 2011.[22]

46. Mr. Choi took over the command of the group following the assassination of George Athor. Mr. Choi told the Monitoring Group that elements from the Eritrean military had facilitated the transfers of weapons destined for George Athor's group from Eritrea into eastern Sudan. While he was the deputy commander, he was responsible for the administration of the group's armed forces. A first shipment of arms was organized and executed by Khartoum. The consignment was delivered near "Lobeit", north of Kordofan, and was dropped by air on 20 February 2011 at an undisclosed location.[44] According to Mr. Choi, the Sudan provided the "end-user"

[41] Confidential military intelligence report from a regional Member State in the possession of the Monitoring Group.

[42] Interview with senior officials from Military Intelligence, Juba, November 2013. The claims were also collaborated during subsequent interviews with senior officials from the Directorate of Internal Security in March 2014.

[43] The Monitoring Group met with Mr. Awan on March 2014.

[44] The first consignment of arms delivery comprised 400 AK-47s and 2,000 boxes of ammunition rounds.

certificates required by the weapons company to facilitate the delivery. The second and third consignments of weapons were both delivered on 19 July 2011.[45]

47. The weapons were first shipped to Eritrea and then crossed to eastern Sudan. Mr. Choi told the Monitoring Group that the Eritreans had facilitated the smuggling of weapons through their territory, but did not directly provide the arms consignments. Finally, Mr. Choi confirmed that George Athor had developed relationships with individuals from the Eritrean Military Intelligence for the purposes of providing training to the group, but he added that George Athor's rebel forces had never received military training in or from Eritrea. The Monitoring Group previously reported claims by SPLM officials that Athor had visited Asmara at least three times between 2010 and 2011 (see S/2011/433).

Non-cooperation with the Monitoring Group

48. Despite the repeated visits of the Monitoring Group to South Sudan and despite the commitment of the Government of South Sudan to provide weapons and supplies it had allegedly captured for the Group's inspection, the Monitoring Group has not been able to independently verify the allegations. Moreover, the lack of access to most areas of South Sudan posed genuine challenges for the Group in terms of its ability to collect additional information from independent sources to substantiate the claims by South Sudanese officials.[46]

49. The Monitoring Group received varying degrees of cooperation from individual senior South Sudanese officials in obtaining clarification and evidence of Eritrean support to rebels and armed groups operating in South Sudan. Eritrea continues to maintain close contacts with the leadership of the Sudan People's Liberation Army/Movement (SPLA/M). Two senior SPLA/M officers and several sources have confidentially shared with the Monitoring Group, throughout the mandate, their suspicions that the close links between certain elements within the SPLA/M ranks and the Government of Eritrea, dating back to the South's struggle against the north, are a key reason for the lack of cooperation with the Monitoring Group.[47]

III. Support for armed groups in the region

50. In paragraph 15 (b) of its resolution 1907 (2009), the Security Council prohibited Eritrean support to armed opposition groups which aim to destabilize the region, and, in paragraph 15 (d), the Council specifically prohibited Eritrea from harbouring, financing, facilitating, supporting, organizing, training, or inciting individuals or groups to perpetrate acts of violence or terrorist acts against other States or their citizens in the region.[48] Pursuant to resolution 1907 (2009), the Monitoring Group has investigated whether Eritrea is arming, training, or equipping armed groups and their members, including Al-Shabaab.

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[45] The second and third consignments of arms delivery comprised 1,207 x AK-47s, 4 x RPG-9, 7 x 12.7" automatic weapons and 30 x RPG-7. The source could not recall the exact quantity and types of weapons and ammunition delivered to the group.

[46] Interviews with SPLA military intelligence officers and SPLM officials, April and March 2014.

[47] See www.sudantribune.com/spip.php?article42703.

[48] The Monitoring Group has documented Eritrean support for regional armed groups in its earlier reports (S/2010/91, S/2011/433 and S/2012/545).

51. Eritrea's support for regional armed groups is linked to its larger foreign policy within the context of its rivalry with Ethiopia. The Monitoring Group investigated Eritrea's relations in the Horn of Africa and it found no evidence of Eritrean support to Al-Shabaab during the course of its present mandate. The Monitoring Group does not, however, rule out the possibility that Eritrea may be providing some assistance to elements within Al-Shabaab without detection, but it is the overall assessment of the Group that Eritrea is a marginal actor in Somalia, and increased public scrutiny by the international community has made any direct support to Al-Shabaab much riskier.

52. However, the Monitoring Group has obtained testimonials and evidence that Eritrea continues to support armed opposition groups from neighbouring countries, notably the following in Somalia and Ethiopia:

- The Ogaden National Liberation Front (ONLF)
- The Tigray People's Democratic Movement (TPDM)
- Ginbot Sebat

53. The Monitoring Group has noted differences in scale and pattern of support that Eritrea is providing to the three armed groups named above. The difference will be detailed in the sections below.

54. The Monitoring Group understands that Colonel Fitsum Yishak, also known by his nickname "Lenin," directs Ethiopian armed groups.[49] The Group has twice in the past identified Colonel Fitsum for his role in overseeing the training and arming of regional armed groups (S/2011/433 and S/2012/545). Colonel Tewelde Habte Negash, who is also known by the aliases "Amanuel Kidane", "Wedi Kidane", Colonel "Musa" and Colonel "Hagos," oversees Somalia-based groups.[50] Both Colonels Fitsum and Negash report directly to Colonel Tesfaldet Habteselasie, who is understood to be in charge of security and the financing of armed groups in the President's Office.[51]

55. The Monitoring Group requested information about Eritrea's support for regional armed groups from Mr. Yemane Gebreab, Senior Political Adviser to the President of Eritrea, during the meeting in Cairo on 14 February 2014 (see annex 1), and from Ambassador Tesfay, the Permanent Representative of Eritrea to the United Nations, during the videoconference of 28 July 2014 (see annex 3). In its written

[49] Colonel Fitsum was identified as the key figure overseeing and directing Ethiopian opposition groups by a range of sources. These include former fighters that the Monitoring Group spoke to; a former Eritrean military official in December 2013; a former Eritrean general with active contacts within the Eritrean military in November 2013; a former senior Eritrean official in December 2013; a former Eritrean diplomat in October 2013; and a confidential intelligence briefing by a regional Member State in February 2014.

[50] Colonel Hagos was identified as the key figure between Somalia-based armed groups and Eritrea by a range of sources. These include former ONLF fighters who told the Monitoring Group that Colonel Hagos was the liaison between their leadership and the Government of Eritrea; a former senior air force pilot in February 2014; a former Eritrean military official in December 2013; a former Eritrean general with active contacts within the military in November 2013; and a former senior Eritrean official in December 2013.

[51] Interviews with a former PFDJ official in March 2014; a former senior air force pilot in February 2014; and a former Eritrean military official in December 2013. A confidential European diplomatic briefing in November 2013 also identified Colonel Habteselasie as head of security.

response of 13 August 2014, Eritrea did not provide any specific information but stated that it was Ethiopia that was supporting armed groups against Eritrea, which it said were aimed at regime change, and added that Ethiopia continued to occupy Eritrean territory, including the town of Badme (see annex 4).[52]

A. Somalia

Ogaden National Liberation Front

56. In its previous reports (S/2011/433 and S/2012/545), the Monitoring Group has documented consistent Eritrean logistical support to ONLF. Eritrea began supporting ONLF towards the end of the Ethiopian-Eritrean war in 2000. At that time, Asmara was seeking to open a "second front" against Ethiopia in Somalia by assisting militias and armed groups opposed to the presence of Ethiopia in Somalia.

57. In its most recent report (S/2013/545), the Monitoring Group also documented the policy of Eritrea of cultivating a number of high-level contacts in the Federal Government of Somalia to strategically influence the new Government. The Group reported that Eritrea had retained links with warlords and spoilers allied with the Federal Government of Somalia, some of whom in turn had relationships with Al-Shabaab.

58. In this context, and following reduced support to ONLF between late 2011 and late 2012, Eritrea reactivated its contacts with the ONLF leadership at a time when ONLF made the strategic decision to shift its bases to Mogadishu, following the collapse of peace talks between ONLF and the Government of Ethiopia in October 2012. The Monitoring Group received testimonials that ONLF has shifted from its traditionally hostile relationship with Al-Shabaab and the two movements appear to have forged a logistical entente that is facilitating ONLF operations inside Somalia.[53]

Asmara conference of August 2013

59. During the second week of August 2013, Eritrea hosted a conference for ONLF at a location on the outskirts of Asmara. According to two ONLF members who participated in the meetings, at least 31 ONLF central committee members, including the ONLF chair, Abdurahman Mohamed Umar Osman, and the Defence Commissioner, Sheikh Deeq Mohamed, were present (see annex 6.1 for a list of 25 known attendees).

60. The conference was organized and hosted by the Senior Political Adviser to the President of Eritrea, Mr. Gebreab, the head of national intelligence Abraha Kassa, and the regional intelligence officer Colonel Negash "Mussa". The three Eritrean officials opened the meeting, and then let the conference proceed in their absence. Private meetings were held between the ONLF chair, Mr. Gebreab and Colonel Negash while the conference was taking place.[54] According to attendees,

[52] The Permanent Mission of Eritrea to the United Nations presented the Monitoring Group with the following media reports in support of its claims that Ethiopia is harbouring armed Eritrean groups: http://debirhan.com/?p=4886 and www.sudantribune.com/spip.php?article51074.

[53] Interview with a former Ogadeni intelligence source in July 2014 and August 2014; and a confidential account of a foreign security source based in Somalia in July 2014.

[54] Interview with an ONLF commander, 12 March 2014.

the stated purpose of the conference was to raise funds for ONLF, strategize on how to recruit new fighters, build up a weapons stockpile and discuss the presence of ONLF in the region.

61. ONLF commanders present at the conference informed the Monitoring Group that they had been told by the ONLF chair that agents of the Government of Eritrea had regularly sent cash funds to ONLF in advance of the conference.[55] One ONLF commander said that authorities from Eritrea had remitted cash to an ONLF bank account in Dubai, using the Tawakal Bank hawala system and moneybags. The account is controlled by the Australia-based ONLF deputy chair, Mohamed Ismail, but is registered under the name of "Abdi Shakur Mohammed Nur". From Dubai, the money is then dispatched to Somalia through unknown hawala transfers.[56] The Monitoring Group has been unable to verify the names and continues to investigate the hawala transfer system in question.

62. At the conference, the ONLF central committee made the decision to move its operations to Mogadishu because of the relative ease of operating in a region of Somalia where Ethiopia has less influence.[57] From Mogadishu, the goal was to procure weapons and deploy fighters to central Somalia and thereafter into the Ogaden region of Ethiopia.[58] Prior to 2013, ONLF had focused on receiving most of its weapons supply from Yemen by means of deliveries to areas between Bosasso and Las Qoray. A former ONLF commander told the Group that he had travelled to Asmara twice before the August 2013 conference to discuss how Eritrea could use its Ageeg port to facilitate weapons procurement in northern Somalia.[59] However, the evidence of the Monitoring Group suggests that more recent ONLF procurement also includes weapons acquired from southern Somalia.[60]

Deployments to Mogadishu

63. Following the Asmara conference, the ONLF central committee began deploying military and intelligence operatives to Mogadishu. Sources told the Monitoring Group that two groups travelled by two routes. The first led by Sheikh Deeq Mohamed proceeded via Yemen, and the second via Cairo, Kampala and Nairobi onto Mogadishu.[61] The Group obtained a multi-entry Eritrean visa number 01052 for an individual whose travel patterns fits into the second pattern identified. Immigration authorities in Mogadishu stopped a person named Yussuf Mohamed

[55] Interview with an ONLF commander, 21 February 2014 and 14 May 2014.

[56] Interview with an ONLF commander, 25 July 2014.

[57] Based on multiple interviews with two ONLF commanders and an ONLF operative; and an interview with a former Ogadeni intelligence source in July 2014 and August 2014.

[58] Interviews with two ONLF commanders, 21 February and 15 April 2014.

[59] Interview with an ONLF commander, 25 July 2014.

[60] A source with close ties to ONLF, interviewed on 4 July 2014, stated that Mogadishu had gradually turned into an operational base for ONLF since 2012, following efforts by Puntland and Somaliland to restrict ONLF operating networks. The source claimed that ONLF had cultivated contacts within the Federal Government of Somalia to ensure operational stability within Mogadishu. This aspect will be discussed below. Two sources with ONLF links, interviewed on 10 June and 4 July 2014, stated that they were aware of weapons deliveries from ONLF sources in Yemen to north-eastern Somalia in the past.

[61] Interview on 14 May 2014 with an ONLF commander, who stated that he had travelled via Cairo to Kampala and then on to Nairobi and Mogadishu in October 2013. Another commander stated on 27 February 2014 that he knew Sheekh Deeq Mohamed had travelled to Mogadishu via Yemen.

Hussein at the airport on 18 October 2013. Hussein had left a refugee camp in north-eastern Kenya for Nairobi. He then flew from Nairobi to Asmara, where he received the Eritrean immigration paperwork on 11 October 2013. From there he travelled to Cairo, Kampala, Nairobi and finally Mogadishu, where the Somali Criminal Investigation Department detained him because his unusual travel pattern and documentation raised suspicion that he was working for Al-Shabaab. He was eventually released after a cash payment was made[62] (see annex 6.2 for copies of Hussein's immigration documents).

64. The deputy chief of intelligence, Ali Ahmed Hussein Ibrahim Dheere, was among those who travelled through Cairo, Kampala and Nairobi on mission to extend ONLF operational capability in Mogadishu, according to his own account. Dheere arrived in Mogadishu in October 2013.[63] During his stay in Mogadishu, Dheere met with the then Federal Government of Somalia Minister of State for the Presidency, Farah Sheikh Abdiqadir, in late October or early November 2013. He said that his instructions had been to obtain the approval of the Federal Government of Somalia for the presence of ONLF in the city. According to his account, the Minister did not grant ONLF any official recognition, but Dheere was still allowed to operate freely as he was not arrested or asked to leave the country.[64] Moreover, the Monitoring Group examined Dheere's telephone records during his stay in Mogadishu and found that he had been in regular communication with contacts in Eritrea. Between 5 and 11 November 2013, Ali Dheere made three calls to two Eritrean mobile telephone numbers, and received four calls from a landline in Asmara.

Weapons procurement in Somalia

65. In a separate interview, Ali Dheere stated that the overall plan of ONLF had been to purchase weapons in Somalia, given their easy availability, including from Federal Government of Somalia stocks (see S/2013/413, annex 6, for case studies of leakage of Federal Government of Somalia weapons and ammunition from official stockpiles). Dheere identified Sheikh Deeq as the person in charge of procurement on behalf of the movement.[65] Another ONLF commander who was also present at the August 2013 conference in Eritrea told the Monitoring Group that he had been informed that, shortly after the conference, Sheikh Deeq arrived in Mogadishu with five individuals, who were joined by six more ONLF fighters who had come from refugee camps in Kenya. Sheikh Deeq coordinated the recruitment and deployment of ONLF fighters from Somalia to Ethiopia and organized a weapons consignment in Mogadishu before travelling to central Somalia.[66] A source physically close to

[62] A source at Mogadishu International Airport noted down the individual's itinerary and obtained copies of his Eritrean immigration papers. The source said that airport authorities had released the individual following the cash payment.

[63] Interviews with Ali Dheere in February 2014, March 2014 and May 2014.

[64] Interview with Ali Dheere in May 2014. He claims that he had been taken to see Farah Abdiqadir by a personal contact in Mogadishu from the Haber Gedir/Ayr clan. In another interview on 10 June 2014, a former ONLF commander stated that he had travelled to Mogadishu with the ONLF financier, Faizal Dahir Nur, in February 2013, where he had also met Farah Abdiqadir, although Farah Abdiqadir had told them that the Federal Government of Somalia did not consider ONLF welcome.

[65] Interview with Ali Dheere, March 2014.

[66] Interview with ONLF commander, 21 February 2014, and with source physically close to Sheikh Deeq, 4 July 2014.

Sheikh Deeq also told the Group that during his time in Mogadishu, Sheikh Deeq had concluded a weapons deal with a group of arms traders.[67]

66. Several sources have confirmed that ONLF operations have centred north of Mogadishu, around Galkacyo, which is used as a base to process fighters in and out of Ethiopia, and as a weapons hub for onward transmission into Ethiopia. One former ONLF fighter told the Monitoring Group that he had travelled to Mogadishu from Galkacyo with a Galkacyo-based ONLF weapons dealer known as "Jawasi" in November 2013.[68] Another source with close links to ONLF stated that Sheikh Deeq had last been heard of operating in Galkacyo.[69] A third ONLF fighter, recruited from the Haghadheere refugee camp in north-eastern Kenya, stated that he had been instructed to travel to Galkacyo in October 2013, where he had met an ONLF commander known as Sheikh Ibrahim Abdi Mohamed Abdi. The fighter told the Monitoring Group that it was Abdi who had instructed him to travel to Somaliland.[70] The Group has been reliably informed that Sheikh Ibrahim Abdi is an operative for both ONLF and Al-Shabaab.[71]

67. The Monitoring Group also received information of ONLF support networks in Somaliland that facilitated the Front's activities. A fighter who was deployed from Hargeisa through Galkacyo to Mogadishu in September 2013, soon after the ONLF conference in Asmara, said that he had also been instructed to stop in Kampala, where other ONLF recruiters were ordered to transit.[72]

ONLF-Al-Shabaab logistical entente

68. The ONLF operating bases in Galkacyo are centred in the Baradle neighbourhood, which is a known Al-Shabaab refuge in the city.[73] Such a location, as well as the ability of ONLF to operate in different parts of Somalia, raises the question of how the group is able to move through territory controlled by Al-Shabaab, which it needs to do in order to carry out its political and military activities. ONLF members that the Monitoring Group spoke to all denied having any relationship with Al-Shabaab and cited the historic hostility between the two organizations. One former commander told the Group that any admission on the part of ONLF of a relationship with Al-Shabaab would discredit ONLF and would trigger the demise of the movement.[74] On the other hand, the Monitoring Group received two credible independent testimonials from sources with direct knowledge of the issue that contradict notions of ONLF having no operational links with elements inside Al-Shabaab. The first is from a former Ogadeni intelligence operative, who told the Monitoring Group that ONLF was coordinating with Al-Shabaab in Somalia in order to move freely and securely through their territory,

[67] Interview, 4 July 2014.
[68] Interview, 14 May 2014.
[69] Interview, 4 July 2014.
[70] Interview with an ONLF former fighter, 25 February 2014. The individual was arrested by the Puntland authorities before he reached Somaliland.
[71] Interviews with two Somali intelligence officers, February 2014.
[72] Interview with former ONLF fighter on 12 March 2014 who described his presence in Hargeisa as far back as 2011 and a number of ONLF ammunition procurement officers who were also based in the city.
[73] Interview with Puntland intelligence source and associate of an Al-Shabaab Amniyat officer based in Galkacyo during 2013, 25 February 2014.
[74] Interview with an ONLF commander, 25 July 2014.

particularly in areas bordering the Sool region of Somaliland and in Lower Juba south of Kismayo.[75] A security official with first-hand knowledge of the situation on the ground told the Monitoring Group that, on 27 and 28 May 2014, there had been an Al-Shabaab attack on an Ethiopian-trained militia in Bakool involving ONLF. The source stated that when the Ethiopian National Defence Force deployed in response afterwards, it became clear that the attack had involved ONLF fighters and that Al-Shabaab had been hosting ONLF at their base in a location nearby.[76] The Governor of the Bakool Region of Somalia also spoke about the attack in an interview with the Somali service of an American media outlet in which he claimed that ONLF had cooperated with Al-Shabaab, thereby implicating both groups in the incident.[77] On 5 June 2014, ONLF subsequently issued a statement denying any involvement in the attack.[78]

69. Based on multiple corroborating testimonials, the Monitoring Group concludes that Eritrea continues to provide logistical and financial support to ONLF in contravention of resolution 1907 (2009), and at a time when ONLF has shifted its operating hub to Mogadishu and appears to have a logistical understanding with Al-Shabaab that emanates from both armed groups' enmity and opposition to the regional policies of Ethiopia.

B. Ethiopia

Tigray People's Democratic Movement

70. The Monitoring Group received multiple corroborating testimonies that Eritrea continues to support the Tigray People's Democratic Movement (TPDM), in violation of paragraph 15 (b) of resolution 1907 (2009).

71. TPDM, also known by its Tigrinya acronym "Demhit", is an armed Ethiopian opposition group founded in 2001 by dissidents from Tigray People's Liberation Front (TPLF) of Ethiopia. TPDM says its aim is "to establish a popular democratic government of Ethiopia where the rights of nation and nationality are respected".[79]

72. The Monitoring Group has previously reported on Eritrea's support for TPDM (S/2012/545). In 2012, the Group found that TPDM was being trained in Harena, a Red Sea island off the eastern coast of Eritrea, as well as in smaller military training outposts close to the border between Ethiopia and Eritrea. The Monitoring Group obtained information that TPDM continues to be trained in Harena (see annex 7.1 for a map with the location of Harena).[80]

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[75] Interview with a former Ogadeni intelligence operative in July 2014 and August 2014.

[76] Confidential account of a foreign security source in Somalia, July 2014.

[77] The full interview, which was aired on Voice of America Somalia is available from: www.voasomali.com/content/article/1929782.html.

[78] See http://onlf.org/?p=602.

[79] This is according to the TPDM website: http://demhitonline.blogspot.com.tr/p/aim.html.

[80] Former Ginbot Sebat fighters told the Monitoring Group that they saw TPDM being trained in Harena. Also, interview with a former Eritrean general with active contacts within the military establishment in November 2013 and August 2014; and interview with a former senior PFDJ official in March 2014.

73. TPDM regularly issues publicly available videos in which it affirms its commitment to taking up arms against the Government of Ethiopia.[81] It is, however, difficult to verify information about military confrontations between TPDM and the Ethiopian army. A member of an NGO in contact with TPDM leaders told the Monitoring Group that he was informed of clashes in Benishangul, near the Amhara region of Ethiopia, in November of 2013.[82] A former Eritrean general with active contacts inside the Eritrean military also told the Monitoring Group about an armed clash between the Ethiopian military and TPDM in the fall of 2013.[83] Moreover, the Monitoring Group received information that TPDM had participated in an armed crackdown on internal dissent inside Eritrea at the end of 2013.[84]

74. Independent sources with relationships in the Eritrean military and with the Movement's own leadership have told the Monitoring Group that TPDM had become the most important Ethiopian opposition group inside Eritrea and it had a dual function as an Ethiopian armed opposition group and a protector of the Afwerki regime.[85] Its fighters, who are from the same ethnic group as President Afwerki, are seen to be personally loyal to him, unlike the defence forces whose loyalties have been questioned by the President in recent years.[86] This is seen to be particularly relevant after the failed attempted "Forto" army mutiny confronting the Eritrean regime on 21 January 2013 (see S/2013/440).

75. The Monitoring Group estimates that there currently are tens of thousands of TPDM fighters.[87] Two former senior Eritrean officials and a former Eritrean general, all of whom are in contact with officials in the military and Government, have told the Monitoring Group that Eritrea's support to TPDM appears to be more

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[81] ATPDM video published on 2 June 2014 claims to show TPDM fighters graduating following a military and political course: http://tpdmtv.vidmy.com/video/93i663y9zcc0.
A video published on 23 May 2013 purportedly showcases the ability of TPDM to attack Ethiopia's ruling party, the Ethiopian People's Revolutionary Democratic Front: www.youtube.com/watch?v=tuodBhoUZQ0.

[82] Skype interview with a member of an NGO in contact with TPDM leadership figures in July 2014.

[83] Interview with a former Eritrean general with active contacts within the military establishment in November 2013.

[84] Interviews with a former senior Eritrean official in December 2013 and a former Eritrean general with active contacts within the military in November 2013. The incident was also reported in the press; see http://hornaffairs.com/en/2013/12/16/eritrea-unraveling-isaias-afeworki-authored-identity/ http://awate.com/a-mercenary-army-isaias-afwerkis-last-stand/.

[85] Interviews with a former PFDJ official in March 2014; a former Eritrean general with active contacts within the military establishment in November 2013; a former senior Eritrean official in December 2013; and Skype interviews with a member of an NGO in contact with TPDM leadership in July 2014 and August 2014.

[86] This development was described to the Monitoring Group by a former senior Eritrean official in December 2013, a former PFDJ official in March 2014, a former Eritrean general with active contacts within the military establishment in November 2013, and an Eritrean source advising the president of Djibouti with close contacts in the Sudan and Ethiopia in January 2014.

[87] This is based on figures obtained from a former high-ranking Eritrean official in November 2013 and August 2014, and a former senior PFDJ official in March 2014, both of whom estimated that there are currently around 20,000 TPDM fighters. Moreover, a European-based human rights activist who is in close contact with Eritrean refugees also told the Monitoring Group in April 2014 that she had been informed by newly arrived refugees that there were "tens of thousands" of TPDM fighters in Eritrea.

sustained and organized than its support for other Ethiopian armed groups.[88] A source with direct contacts within the leaderships of a number of armed groups described the TPDM as appearing to have "far more fighting capacity" than other Ethiopian groups.[89]

76. The Monitoring Group also received information from two sources with active contacts inside EDF that weapons in the logistics department of EDF are being systematically transferred to TPDM.[90] A reliable former senior Eritrean military source told the Group that he was informed by his former colleagues that the following weapons had been transferred from EDF to the TPDM in autumn 2013, most likely during the month of September: sniper rifles, Walther PP semi-automatic pistols, Doshkas, Tokarev T pistols, and binoculars.[91] The Monitoring Group has not been able to substantiate the information provided nor confirm whether the weapons given to TPDM came from old EDF stock or whether TPDM is being armed with weapons procured for the army after the adoption of resolution 1907 (2009).

77. In Cairo on 15 February 2014, the Monitoring Group raised the question of the source of the weapons used to arm TPDM with the Senior Political Adviser to the President of Eritrea, Mr. Gebreab. Mr. Gebreab told the Group that the Government of Eritrea does not support TPDM, which he said was interested in fighting the Government of Ethiopia. He further stated that in his view, there were no arms going to TPDM. The Monitoring Group requested additional information on TPDM in two letters dated 7 March 2014 (see annex 1) and 1 August 2014 (see annex 3). During a videoconference on 28 July 2014, Ambassador Tesfay, did not answer the Monitoring Group's questions about TPDM, and he said that Ethiopian armed groups were a creation of Ethiopia's internal dynamics. He stressed that Eritrea was not engaged in any internal destabilization in Ethiopia.

Ginbot Sebat

78. Ginbot Sebat is a banned opposition group formed in 2005 by Amhara political elites committed to regime change in Ethiopia through armed struggle.[92] The Monitoring Group has previously documented Eritrea's support to Ginbot Sebat (see S/2011/433 and S/2012/545). In 2012, the Group received corroborating testimonials that three Ginbot Sebat fighters had been trained in the western military border zone under the direction of Colonel Fitsum. At the time, the Monitoring Group was unable to reach a conclusion as to the former fighters' organizational affiliation or to verify their accounts of military training, but it did conclude that they had direct contact with Colonel Fitsum.

79. The Monitoring Group examined new evidence and testimonials that indicate that Eritrea continues to provide support to Ginbot Sebat. The Monitoring Group

[88] Interviews with a former senior Eritrean official in December 2013, a former PFDJ official in March 2014, a former Eritrean general with active contacts within the military establishment in November 2013 and August 2014.

[89] Skype interviews with a member of an NGO in contact with leaders of Ethiopian armed groups in July 2014 and August 2014.

[90] Interviews with a former senior Eritrean official in March 2014; and a former Eritrean general with active contacts within the military establishment in August 2014.

[91] Interview with a former Eritrean general with active contacts within the military establishment in November 2013.

[92] As explained by an NGO researcher with contacts within the Ginbot Sebat leadership in July 2014 and August 2014.

spoke separately to three former fighters from the group and they all confirmed that Colonel Fitsum continues to direct and oversee training for Ginbot Sebat.[93]

80. The first fighter was captured in January 2014, while on a reconnaissance mission inside Ethiopia. During a meeting with the Monitoring Group on 3 February 2014, while he was in detention in Ethiopia, he said that he had been a supporter of Ginbot Sebat and that he had been recruited into their military wing while working as a day labourer in neighbouring Sudan. Eritrean soldiers picked him up and took him to Eritrea, where he was subsequently sent to a training camp in Harena (see annex 7.1 for a map with the location of Harena). There, he joined 28 others and they were taught how to operate machine guns, bombs, and hand grenades. He identified a captain in EDF by the name of Dawitt as the person in charge of running the training and day-to-day operations for Ginbot Sebat. In December 2013, the detainee said that Dawitt had instructed him and two other Ginbot Sebat members to travel to Ethiopia to identify strategic locations and routes for the future movement of weapons. Areas identified were Awasa in the Great Rift Valley, Gewane in the Afar region, and Gondar in the Amhara region of Ethiopia (see annex 7.2 for map). Ethiopian security forces arrested the three fighters while they were travelling through the forest in Gondar on 20 January 2014.

81. When he and his colleagues were captured inside Ethiopia, they were allegedly carrying weapons that were made available to the Monitoring Group for inspection. These included hand grenades, AK-47s, and ammunition (see annex 7.3 for the weapons recovered from the fighters). The Monitoring Group examined the weapons and found that the serial numbers of the grenade pins were in similar sequence to grenade pins that the Monitoring Group had documented in 2011. The grenade pins that were found in 2011 were recovered on ONLF fighters trained and armed in Eritrea. They followed a sequence of "79", which is the same serial number that was marked on the grenade pins recovered on the Ginbot Sebat fighters during the course of the current mandate.[94] The consistency in sequencing strongly suggests a single original supplying source for the two sets of grenades, which the Monitoring Group established to be Eritrea in 2011 (see annex 7.4 for photographs of the pins inspected by the Monitoring Group in 2011 and 2014).

82. The two other former Ginbot Sebat fighters were part of another five-person fighter cell recruited in Johannesburg, South Africa, where they were working at the time. The Monitoring Group interviewed them individually on 16 and 17 January 2014. The first identified himself as a founding member of the armed wing of Ginbot Sebat, but he did not have any documentation to show his alleged rank or status within the group. He told the Monitoring Group that in October 2012, while living in South Africa, he had helped to establish the "Popular Front", which he said was intended for drafting community members in the diaspora into the armed wing of Ginbot Sebat.

83. The second former Ginbot Sebat member told the Monitoring Group that he had been recruited by the Popular Front. His recruiters informed him that he would be sent to Eritrea for military training. The Embassy of Eritrea in Pretoria issued the new recruit with an Eritrean laissez-passer on 9 October 2012, which he used three

[93] The Group met with former Ginbot Sebat fighters in Addis Ababa on 16 and 17 January and 4 February 2014.

[94] The Monitoring Group did not include pictures of the ONLF grenade pins in its 2011 report. For more information on that case, see S/2011/433, annex 8.3.

days later to travel from Johannesburg to Asmara via Cairo on 19 October 2012 (see annex 7.5 for the travel document and electronic ticket provided to the fighter).

84. When the two newly recruited fighters arrived in Asmara, Ginbot Sebat Secretary-General Andargachew Tsige reportedly met them.[95] They spent six months awaiting their training, which began in April 2013. The two men told the Monitoring Group that they had joined a group of 30 to 60 Ginbot Sebat fighters at the Harena military camp, where they claimed they had stayed until they fled to Ethiopia in December 2013. They reported seeing other armed Ethiopian opposition groups in Harena, including TPDM, the Amhara People's Democratic Movement (APDM), and the Oromo Liberation Front (OLF).[96] The training lasted for a month and it included guerilla warfare tactics and firearms training with hand guns, automatic weapons, explosives and anti-tank weapons. The fighters claim they then spent seven months in Harena waiting to be assigned on mission.

85. The Monitoring Group was unable to independently verify the claims of the former Ginbot Sebat fighters. But based on their corroborating testimonials and the inspection of documents and weapons recovered from them, it appears that Eritrea continues to provide some support to Ginbot Sebat. The Monitoring Group cannot, however, assess the extent of this support as compared with Asmara's support of Ginbot Sebat in the past.

86. The Monitoring Group shared its findings with the Permanent Representative of Eritrea to the United Nations, Ambassador Tesfay, during a videoconference on 28 July 2014 and requested that Eritrea provide an explanation about the matching grenade pin serial numbers and the travel documents recovered from one of the Ginbot Sebat fighters. Ambassador Tesfay said that either Ethiopia or those captured by Ethiopia must have provided the group with the hand grenade pins and that Eritrea was also in possession of serial numbers of Ethiopian weapons. His answer was echoed in the official response of the Government, dated 13 August 2014 (see annex 4), in which it stated: "Travel documents that may have been easily forged by forces who have an interest in framing Eritrea; serial numbers of bullets or weapons that may have exchanged hands between Eritrea and Ethiopia in the course of their multiple wars in the past years ... cannot be taken as iron-clad proofs of Eritrea's misconduct that entail punitive action by the United Nations Security Council." Moreover, the Government of Eritrea did not provide evidence to support Ambassador Tesfay's claim that it was in possession of serial numbers of Ethiopian weapons.

IV. Financing in support of violations of resolution 1907 (2009)[97]

87. The Monitoring Group has conducted investigations to determine whether revenues collected by the Government of Eritrea are diverted to finance violations of resolution 1907 (2009). The Group has collected information from a wide range of sources with direct knowledge of the ruling PFDJ and Eritrea's financial

[95] Mr. Andargachew Tsige was arrested while in transit in Yemen en route to Eritrea on 23 June 2014 and extradited to Ethiopia the following month.

[96] For more information on the Oromo Liberation Front, see S/2012/545.

[97] In paragraph 19 (b) of its resolution 1907 (2009), the Security Council states that the Monitoring Group may consider any information relevant to implementation of paragraphs 16 and 17 of the resolution that should be brought to the attention of the Committee.

structures, as well as members of armed opposition groups in the region who have received financial and logistical support from the Government of Eritrea.[98]

88. Data on the economy of Eritrea are unreliable as the country's annual budget is not publically available and the Government of Eritrea does not disclose its appropriations. The lack of financial transparency continues to create ambiguities and limits effective monitoring of the country's compliance with resolution 1907 (2009). Given the opaque nature of Eritrea's financial management, it is difficult to determine whether revenues have been diverted to finance violations. In aid of making this determination, the Monitoring Group has investigated the nature and management of Eritrea's revenues and financial flows.

A. Structure and control of finances

89. The lack of transparency of the country's financial management previously described by the Monitoring Group (S/2011/433, paras. 372-377) continues to enable the Government of Eritrea to maintain a PFDJ-controlled informal economy, which involves hard currency transactions managed through a complicated and obscure network of companies and business entities incorporated in a number of national jurisdictions.

90. Senior officials within the Government of Eritrea and PFDJ continue to collect millions of dollars per year through unofficial revenues by means of private business arrangements involving PFDJ-run companies domestically and abroad.[99] Although it is difficult to obtain accurate data on the size of the country's informal economy, the Monitoring Group estimates that the incoming revenue stream is substantial. The Monitoring Group has obtained information through direct sources that Government officials have created and maintain a global financial structure that is not registered in the name of PFDJ. This architecture includes tax havens, secret trusts and companies incorporated under the names of officials and, in most cases, under the names of private individuals.[100] The financial structures are highly complex and have been established across several countries with the help of local facilitators or "friends of the regime" that aid their clients to set up fiscal mechanisms designed to be inaccessible.[101] The Monitoring Group has documented extensively (S/2011/433 and S/2012/545) the process by which senior officials of

[98] Multiple interviews were conducted throughout the mandate with former Eritrean senior officials, former diplomats, and Eritrean businessmen with first-hand knowledge of the country's finances and economy across Europe, Africa, Australia, the Middle East and North America. Multiple interviews of former fighters were conducted in Addis Ababa in January 2014 and February 2014. In addition, interviews were conducted with a former fighter in Somalia in February 2014, a former senior ranking officer of the Eritrean military in October 2013, and an ONLF commander in February and 26 July 2014.

[99] Multiple interviews with Eritrean businessmen based in Juba, in November 2013, and March 2014; in Dubai, in April 2014, May 2014, and June 2014; and in Kampala, in October 2013.

[100] Information obtained from former senior Eritrean officials with first-hand knowledge of the finances of the country.

[101] Several interviews were conducted throughout the mandate with former Eritrean senior officials responsible for the country's commercial activities and Eritrean businessmen with first-hand-knowledge of the country's finances and economy. Several interviews with a businessman connected to the Government of Eritrea, in Nairobi, in October 2013 and January 2014.

the Government of Eritrea have established a clandestine financial apparatus to both generate and administer revenue.

B. Clandestine business networks of the People's Front for Democracy and Justice

91. The Red Sea Corporation is the primary procurement vehicle of the Government of Eritrea. It imports a range of basic commodities, from basic staples such as sugar and rice, to heavy machinery, and technological and military equipment.[102] The Monitoring Group has seen financial transactions and confirmed that these activities are affiliated to PFDJ companies, including the Red Sea Corporation.[103] Procurement activities on behalf of the Red Sea Corporation are primarily handled by representatives posted at the Eritrean consulate in Dubai.[104]

92. The Monitoring Group has also obtained a list of various PFDJ-owned companies in the commodities, transport and shipping industries, which includes Himbol Financial Services, Eritrean Shipping Line, Transhorn Transport Company, Hidri Distribution, EriEquip and Anderbeb Share Company.[105]

93. The Monitoring Group has learned that PFDJ companies and the Red Sea Corporation utilize mainly the Housing and Commerce Bank in Eritrea, which has accounts at correspondent banks abroad, including Gazprombank, DZ Bank, Commerzbank, the Export-Import Bank of China (EximBank) and Banca Nazionale del Lavoro S.p.A.[106] Eritrea's banking sector is dominated by three major commercial banks, including the Housing and Commerce Bank in Eritrea, which is majority-owned by PFDJ, the Eritrean Development and Investment Bank, serving primarily the private sector's long-term finance needs, and the Government-owned Commercial Bank of Eritrea, providing the majority of basic commercial banking services.[107]

94. The Monitoring Group previously documented (S/2011/433) how Eritrea manages an offshore financial system, controlled by elements of the ruling PFDJ party and/or their supporters, to generate significant revenue streams. Numerous credible Eritrean sources with first-hand knowledge of PFDJ have informed the Monitoring Group that the Director of the PFDJ Economic Affairs Department, Hagos Gebrethiwet Maesho (also known as Hagos "Kisha"), has established complex financial structures of offshore companies that allows Eritrea to conceal their identities in jurisdictions that similarly promote secrecy.[108] Current and former senior officials from the Eritrean Government with direct knowledge of Eritrea's financial structures, have told the Monitoring Group that the practice of establishing

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[102] For more information on the military procurement, see the eastern Sudan case in sect. II.A of the present report.

[103] The Monitoring Group obtained thousands of confidential banking and financial records from a major financial institution based in the European Union.

[104] Interviews with an official involved in the country's procurement activities in May 2014.

[105] Interviews with an official involved in the country's procurement activities in May 2014.

[106] As of October 2007, Banca Nazionale del Lavoro SPA has been acquired by BNP Paribas. Information on correspondent banks was retrieved from: http://www.erhcb.com/banks.htm.

[107] See IMF Report at: http://www.imf.org/external/pubs/ft/scr/2003/cr03166.pdf, page 34.

[108] Several interviews held with a current Eritrean official with knowledge of the country's commercial activities and a former senior Eritrean official in December 2013, and in May 2014.

business entities in jurisdictions that promote secrecy is a tactic that officials from PFDJ have used mainly since the adoption of resolution 1907 (2009).[109] Business entities with opaque ownership structures have been established across several jurisdictions, which PFDJ and Government officials utilize to channel funds worldwide.[110]

95. Although various banking and financial jurisdictions have different requirements when registering a business entity, such as listing of shareholders, there can be other companies or "nominees" who serve as fronts for the actual shareholder or owner of the company, for the ultimate purpose of obscuring ownership. Lawyers and trust and company service providers in jurisdictions that promote secrecy are involved, within complex financial structures, to attempt or indirectly facilitate efforts to circumvent sanctions. This practice makes it difficult to investigate if Government revenues are financing acts that are in violation of relevant Security Council resolutions.

96. Multiple independent sources with direct knowledge of Eritrean finances confirmed to the Monitoring Group that Mr. Gebrethiwet continues to issue orders to conceal the manner in which PFDJ-owned entities and financial structures are managed.[111] Sources have also told the Group that Mr. Gebrethiwet is the primary financial coordinator of all hard currency operations relating to Eritrea's procurement activities.[112] In the past, the Monitoring Group has also documented Mr. Gebrethiwet's role in procuring military equipment. In 2011, the Monitoring Group found that Mr. Gebrethiwet was involved in the purchase of fighter jets prior to the adoption of resolution 1907 (S/2011/433, para. 368).

97. The Monitoring Group obtained specific information about a business entity controlled by senior PFDJ officials called "H.T. Trust Limited", which is registered in the Republic of Cyprus (Registration Number: 127139). The Monitoring Group received credible information that Mr. Hagos Gebrethiwet, still currently the Director of the PFDJ Economic Affairs Department, is listed as an owner, and the entity is serving as a vehicle to procure arms in contravention of resolution 1907 (2009).

98. "H.T. Trust Limited" was incorporated in 2002 and the Monitoring Group confirmed that Mr. Hagos Gebrethiwet is listed as a Director and as the ultimate beneficial owner of the company (see annex 8.1 for the company's incorporation documents). The main business activities of "H.T. Trust Limited" are listed in the articles of incorporation as "trading clothes and shoes". The anticipated credit turnover connected to all of its accounts was listed at $ 50 million per year.

99. The Monitoring Group carefully examined hundreds of transactional records of "HT Trust Limited" since the company's incorporation in 2002. The Monitoring

[109] Series of meetings with Dubai and Juba businesspeople, including an interview with a former senior Eritrean official in December 2013, March 2014 and May 2014.

[110] Interviews with former senior Eritrean official responsible for establishing part of these structures in December 2013, March 2014, and May 2014.

[111] Interviews with multiple sources, including Eritrean activists from the diaspora, former senior officials from Housing and Commerce Bank in Eritrea and PFDJ, and the Central Bank of Eritrea, including current businessmen stationed in Juba, Dubai and London.

[112] See S/2011/433, para. 377. This information has also been confirmed by former and current PFDJ sources in Dubai in May and December 2014, and by a former senior Eritrean official that has intimate knowledge of the country's global financial structure, in February and April 2014.

Group noted wire transfers dated 2003 and 2005 from "HT Trust Limited" to "Deliza Limited", an alleged arms company based in Ukraine.[113] According to a former senior PFDJ official who is listed as a director of the company and was present during its incorporation, these transfers were made with the intention of procuring weapons and ammunition prior to the adoption of resolution 1907 (2009) (see annex 8.2 for evidence of wire transfers).

100. The Monitoring Group did not find any obviously suspicious transactions or violations dated after the adoption of resolution 1907 (2009). The Group also assessed that the company has not reached nor performed its anticipated annual credit turnover amount as listed in the company's incorporation documents following a diligent examination of the company's historical transactional records. The Monitoring Group did not find a single transaction related to the company's stated purpose to trade clothes and shoes or any relevant counter-parties within the "clothing and shoes" industry that conducted business with "HT Trust Limited".

101. "H.T Trust's" corporate history and transactional record appear to fit into the overall pattern of PFDJ officials incorporating a single offshore business entity in a manner that reduces the transparency of actual ownership, control, and stated purpose.[111] The Monitoring Group has therefore concluded that the business activity and transactions of "H.T. Trust Limited" do not accurately reflect the stated purpose of trading shoes and clothes as stated in the certificate of incorporation, and may therefore constitute a cover for activities that the Government of Eritrea wishes to conceal.

C. Diaspora taxes

102. The Security Council, in paragraph 10 of resolution 2023 (2011), condemned the use of the "diaspora tax" on Eritrean diaspora by the Government of Eritrea to destabilize the Horn of Africa region or to violate relevant resolutions, including for purposes such as procuring arms and related material for transfer to armed opposition groups or providing any services or financial transfers provided directly or indirectly to such groups. In addition, the Council, in paragraph 11 of the same resolution, decided that Eritrea should cease using extortion, threats of violence, fraud and other illicit means to collect taxes outside of Eritrea from its nationals or other individuals of Eritrean descent.

103. In order to investigate the methods employed by members of PFDJ and the Government of Eritrea to collect the extraterritorial tax, the Monitoring Group met with Member States and conducted over 50 interviews with members of the Eritrean diaspora based in Europe, the Middle East, North America and East Africa.[114]

Two per cent Rehabilitation and Recovery Tax

104. The Eritrean National Assembly enacted the 2 per cent Rehabilitation and Recovery Tax Proclamation in 1994. The legislation was enacted to "provide some cushion to the hefty annual budgetary bills that the Government continues to

[113] There is limited information available in the public domain on "Deliza Limited".

[114] Due to fear of retribution by the Eritrean authorities, nearly all sources requested anonymity.

shoulder to date to support the war disabled and the families of martyrs".[115] In a letter to the Committee dated 28 July 2014 (see annex 2), the Government of Eritrea stated that the Proclamation specifically targets only Eritrean citizens in the diaspora, not citizens of other countries of Eritrean decent. In response to paragraph 11 of resolution 2023 (2011), in the same letter, the Government referred to "the active and voluntary participation of the Eritreans in Diaspora in the affairs and development of their country". Though it added that explicit enforcement measures were implemented domestically, such as "denial of business licence and land entitlements to those who fail to meet their fiscal obligation". In addition, during a meeting with the Monitoring Group in Cairo on 15 February 2014, the Senior Political Adviser to the President of Eritrea, Mr. Gebreab, stated that the contribution of this tax to the overall support provided by the Government to families was in fact small. He added that the allegations of extortion and fraud to collect the tax were not true, but that there would be consequences for citizens in the form of denial of services, in Eritrea, if they did not pay the tax.

105. The Monitoring Group received information throughout the course of the mandate from the Eritrean diaspora and host country authorities that the Government of Eritrea and PFDJ impose a variety of extraterritorial taxation requirements on Eritrean citizens abroad and foreign nationals of Eritrean descent. The Group obtained receipts and audiovisual materials dated 2012, 2013 and 2014 from the United Kingdom, Sweden, and Canada that show attempts by Eritrean consular officials to collect the tax.[116] Subsequently, the Monitoring Group has also received various credible testimonies that Eritrean and PFDJ officials continue to resort to coercive measures to extract payment from Eritrean nationals. Those refusing to make the payment may be denied an issuance of passport or an exit visa if they return to Eritrea, or they may not be able to ship goods to Eritrea unless receipt of payment or clearance has been presented to the authorities (see annex 9.1 for samples of tax receipts and verbatim transcripts of an exchange at the consulates of Eritrea in Toronto and London).

106. Procedures for payment of Eritrean extraterritorial taxes vary from location to location where embassies or consulates exist. In locations where there is no diplomatic presence, local PFDJ agents or activists continue to act as "tax collectors". The Monitoring Group has estimated based on testimonies from various national law enforcement officers, Eritrean eyewitnesses and former Government of Eritrea agents in the diaspora that the Government is raising tens of millions of dollars on an annual basis (S/2011/433, para. 381). According to the Government of Eritrea, it had collected a total of $73 million in tax revenue in the four years between 2010 and 2013 (see annex 2).

107. Following adoption of resolutions 1907 (2009) and 2023 (2011) and as a result of greater public scrutiny by Member States, the Government of Eritrea appears to have further obscured its collection practices. The Monitoring Group has received credible testimonies from Eritreans in the diaspora and former Government officials

[115] Statement by Mr. Araya Desta, Permanent Representative of Eritrea to the United Nations, during the informal consultations of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, New York, 18 April 2012.

[116] On 18 December 2013, a British-Eritrean national entered the Eritrean embassy in London, wearing a secret camera. In the footage and a translated document of the conversation that was provided to the Monitoring Group and circulated in the public domain, embassy officials requested that the individual pay the two per cent tax.

describing the methods used by the Eritrean embassies and consulates abroad to collect the tax.[117] An Eritrean activist based in Canada described the process to the Group as follows. The Eritrean consulate office in Toronto calculates the amount that each national has to pay by reviewing the individual's income tax assessment issued by the Canadian Revenue Agency. Based on a review of the income tax form, officials advise the individual on the amount he or she owes. The individual is then instructed to wire the amount through designated money transfer organizations (hawalas) or alternatively through individuals who are scheduled to visit Eritrea. The identities of the hawalas have not been disclosed to the Monitoring Group, but they have been described as Eritrean- or Somali-owned companies.[118] Once the funds have been transmitted to Eritrea, the hawala or person acting on behalf of the individual will pay the balance to the finance division of the Ministry of Foreign Affairs. The Ministry of Foreign Affairs then deposits the funds in designated bank accounts held with Housing and Commerce Bank in Eritrea. In terms of the receipt issued to the payee, the advice given by a consulate employee to the Eritrean national instructed to pay the tax was the following: "You need to advise the person who is paying for you in Asmara to e-mail you a scanned copy of the receipt or send you by facsimile immediately. Consequently, you send a copy of your receipt and your passport to Tekle (consulate staff) for renewal." (See annex 9.1 for a translation of an audio recording at the Eritrean Consulate in Toronto, 18 June 2014.)

108. The Monitoring Group has reported extensively on several methods used in the collection of the tax and individuals involved in the collection process in its previous reports (S/2011/433, S/2012/545 and S/2013/440). During the current mandate, the Monitoring Group observed that the issue of collection of extraterritorial tax has come under greater scrutiny by Member-States. On 10 July 2014, the Government of Canada announced that it had given instructions to the Department of Foreign Affairs to deliver a message to the Eritrean Consulate in Toronto that the activity of collecting the diaspora tax must cease and desist. The Canadian Foreign Minister stated that if the activity did not stop, then the Government of Canada would close down the Consulate.[119] The Governments of Canada and Germany have in the past issued statements against continued diaspora tax collection in their respective jurisdictions (S/2013/440 and S/2012/545). The Governments of Canada and Germany confronted Eritrea's consular representatives in their respective jurisdictions and issued warnings. Recently, the Government of Australia condemned the imposition of the tax following a newspaper article claiming that the Eritrean embassy in Canberra was "forcibly" collecting the tax from the Eritrean diaspora in Australia.[120] The country's Department of Foreign Affairs and Trade informed the Monitoring Group that they had instructed relevant national and local governmental agencies to report any attempts made to collect the tax in Australia that violated resolutions 1907 (2009) and 2023 (2011).[121]

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[117] Interviews with members of the Eritrean community in Toronto, Canada, including the individual who recorded the audio with an official from the Consulate of Eritrea in Toronto, April, May, June 2014.

[118] Interview with a former Eritrean diplomat and an Eritrean human rights activist based in Canada in June 2014.

[119] See www.cbc.ca/news/politics/john-baird-warns-eritrean-consulate-over-diaspora-tax-1.2701635.

[120] See www.sbs.com.au/news/article/2014/03/16/australian-eritreans-forced-pay-illegal-tax.

[121] Conversation with Australian Department of Foreign Affairs and Trade in July 2014.

109. Furthermore, the Ministry of Foreign Affairs of the Netherlands informed the Monitoring Group that the issue of the tax collection was covered by several media articles claiming that Eritreans are forced to pay the "2 per cent tax". In response to the reports, the Ministry of Foreign Affairs summoned the Eritrean Chargé d'affaires in The Hague, Negasi Kassa Tekle, to provide clarifications about the diaspora tax levied by Eritrean officials in the Netherlands. The Ministry informed the Monitoring Group that it was not illegal in the Netherlands (as well as not prohibited under the Vienna Convention on Consular Relations) for the Eritrean authorities to levy such a tax from their nationals, unless extortion or threats were used. Although the Ministry of Foreign Affairs has received several complaints from individuals within the Eritrean diaspora in the Netherlands that officials are soliciting to collect the tax, the evidence provided to them in terms of threats or extortion is anecdotal[122] and the Ministry will not take formal action on the complaints, particularly because the reports received were anonymous and were not reported to local law enforcement or judicial authorities.

110. On 4 February 2014, the Committee on Justice in the Swedish Parliament held a debate on the issue of the diaspora tax. Ultimately, the ruling coalition parties in the judicial committee rejected the bid to ban forced taxation imposed on Eritrean expatriates residing in Sweden.[123] The majority of the parties in the country's Parliament agreed that the diaspora tax was an illegal act, especially in the absence of a standing bilateral agreement between Sweden and Eritrea. However, under international law, it is permitted for a State to impose taxes on citizens who are residents in another country. The Committee argued, though, that current Swedish law was sufficient to stop any practices of collecting the tax by means of extortion, threat or blackmail. The consensus within the Parliament agreed that any Swedish-Eritrean national that was subjected to coercion and/or threats in paying the tax, should report the issue to local law enforcement authorities.

Contribution to the Eritrean Defence Forces

111. The Monitoring Group previously reported (S/2012/545) that in some countries, diaspora Eritreans may be required to make a contribution to the Eritrean defence budget, in addition to the "2 per cent tax". In Canada, for example the 2 per cent tax form makes provision for contributions for the purposes of national defence, described as "donations to national defence against Ethiopian invasion". The Monitoring Group has collected numerous testimonies from the Eritrean diaspora that the Government continues to raise funds for contribution to the Eritrean armed forces as part of its collection activities in the diaspora.[124] Furthermore, the Monitoring Group has obtained financial records showing that a Canadian-Eritrean initiated a banking transfer worth US$ 1,480 to the Ministry of Foreign Affairs in Asmara in December 2013. The transaction shows that the funds were collected from the 2 per cent tax and the Defence Fund (also known as the Mekete Fund). The wire transfer was routed through a correspondent bank based in

[122] E-mail exchange with a diplomat at the Netherlands Ministry of Foreign Affairs in June 2014.

[123] Several conversations with current Swedish Parliamentarians that led the motion to ban the collection of the 2 per cent tax.

[124] Multiple interviews with credible Eritrean sources from the diaspora, including with former senior Eritrean officials responsible for the country's finances and procurement, businessmen and former high-ranking officials in Kenya, Norway, Sweden, Uganda, the United Kingdom and the United States, from November 2013 to June 2014.

Frankfurt, Germany, for onward transmission to the Housing and Commerce Bank in Eritrea.[125] As previously stated by the Monitoring Group (S/2012/545, annex 3), the solicitation of contributions for Eritrean military expenditure arguably violates paragraph 5 of resolution 1907 (2009), which requires Member States to take the necessary measures to prevent, inter alia, financial assistance related to the Eritrean military activities covered by the arms embargo.

V. Revenues from the mining sector

112. In paragraph 12 of resolution 2023 (2011), the Security Council expressed concern at the potential use of the Eritrean mining sector as a financial source to destabilize the Horn of Africa region, and called upon Eritrea to show transparency in its public finances in order to demonstrate that the proceeds of these mining activities were not being used to violate relevant resolutions, including resolutions 1844 (2008), 1862 (2009), 1907 (2009) and 2023 (2011).

113. During a meeting in Cairo on 15 February 2014, the Monitoring Group raised the issue of revenues from natural resources with Senior Political Adviser to the President of Eritrea, Mr. Gebreab, who agreed to provide budgetary documents for the past three years to demonstrate revenues and expenditures. The Monitoring Group followed up requesting this documentation in two letters dated 7 March 2014 (see annex 1) and 1 August 2014 (see annex 3), but did not receive such material. A letter from the Government of Eritrea to the Committee dated 28 July 2014 (see annex 2) did not fully address the issues raised by the Monitoring Group.

114. Despite the lack of critical access to official budget data and information on appropriations by the Government of Eritrea, the Monitoring Group investigated whether hard currency from mining revenues was channelled through the Government's financial structures for the purpose of supporting activities that would constitute a violation of resolution 1907 (2009). The Monitoring Group independently obtained and reviewed hundreds of financial records related to mining activities. The Monitoring Group did not identify any suspicious transfers indicating that the funds derived from mining revenues were being used to violate relevant resolutions. However, the lack of financial transparency by the Government of Eritrea creates structural ambiguities and limits effective monitoring of the country's compliance with resolution 1907 (2009).

115. As reported previously by the Monitoring Group (S/2012/545), foreign direct investments by mining companies in Eritrea are often channelled through a complex and diverse network of companies based in the country. According to financial records obtained by the Monitoring Group, substantial amounts of funds are continuously being wired to various business entities and bank accounts based in Eritrea by companies operating in the country's natural resources sector. A significant number of transfers are wired to a company registered in Eritrea as "Colonnade Mining Group".[126] The Monitoring Group confirmed that "Colonnade Mining Group" is an expert drilling company based in Eritrea and acting as a

[125] The Monitoring Group obtained confidential banking records from a European bank that is being used as a correspondent bank for the Housing and Commerce Bank in Eritrea.

[126] The Monitoring Group obtained and examined hundreds of confidential banking records obtained from a major European commercial bank.

service provider to several exploration and mining companies.[127] In addition, the high volumes of transfers seen by the Monitoring Group are justified by the operational and development costs of the companies operating in the country's natural resources sector. Companies with all types of licences (prospecting, agreement and/or mining) have to remit funds in Eritrea to cover both fixed and variable operational and development costs, and to procure from local companies and national Eritrean suppliers for their operations. Companies also have to wire funds into Eritrea for the purpose of purchasing fuel, heavy equipment and construction materials from both local and international vendors.

116. Moreover, companies conducting business in Eritrea are subject to high costs that are not typically associated with operations in other parts of the world. The Government insists that exploration companies must treat their local branches in Eritrea as stand-alone financial entities, which means that accounting records are fully audited by local firms. These measures are to ensure that mining companies are paying taxes in Eritrea and that local operating branches are upholding international accounting standards. According to industry experts, the overall cost for foreign mining companies operating in Eritrea tends to be expensive as a result of the fixed exchange rate. The majority of mining companies operating in Eritrea have their cash reserves abroad, even though most of the operations are based in Eritrea. As such, the companies' working capital has to be denominated in nakfa and United States dollars. Companies have to purchase local currency in Eritrea at the fixed exchange rate of 15 nakfa to US$ 1.[128] Local price inflation over the years has forced mining companies to cover basic expenses, such as food and electricity, at a very high cost.

117. Considering these costs and following a careful examination of financial records that show significant numbers of wire transfers by exploration and mining companies in Eritrea, the Monitoring Group has assessed that the high volumes of transfers are justifiable by both the operational and development costs that companies incur while operating on the ground.

A. Mining activities in Eritrea

118. The Government of Eritrea has actively sought to attract both national and foreign investors to increase investments, especially in the country's mining sector. The Government has awarded licences to a number of foreign companies from Australia, Canada and China to exploit copper, gold, potash and zinc reserves. According to the Government of Eritrea, there are around 17 foreign companies that have been granted mineral exploration and development licences (see annex 2).

119. International mining companies are allowed to operate in Eritrea under the terms of the mining law that gives the Eritrean National Mining Corporation (ENAMCO) the right to participate in ventures.[129] In addition to a 10 per cent free

[127] Several interviews with an expert with direct knowledge of the country's natural resource sector, a former senior Eritrean official and a former Eritrean diplomat responsible for procurement.

[128] The exchange rate has been confirmed with several businesspeople currently operating in Eritrea and members of the Eritrean diaspora, including current and former senior Eritrean officials.

[129] The legal framework governing mining and related operations in Eritrea is contained in the mining law that comprises Minerals Proclamation No. 68/1999, Mining Income Tax Proclamation No. 69/1995, and Regulations on Mining Operations Legal Notice No. 19/1995.

carried interest, ENAMCO has the right to purchase a further 30 per cent interest in all new mining projects in Eritrea on agreed terms.[130] If ENAMCO decides to purchase the remaining 30 per cent to which it is entitled, it will contribute approximately one third of the project's capital costs and enjoy 40 per cent of dividends.[131]

120. There appears to be a close relationship between the Eritrean Ministry of Mines and Energy and exploration companies operating in Eritrea. All foreign companies wishing to operate in the country have the right to exploit commercial deposits. Deposits discovered under a valid exploration licence are guaranteed by the country's mining law. In addition, they benefit from a favourable and simple taxation system. The income tax derived from mining operations is set at 38 per cent, with a nominal import duty of 0.5 per cent on all inputs necessary for mining operations. Royalty rates range from 3.5 per cent for base metals to 5 per cent for precious metals, with waiver and special conditions available. There is also no tax on dividends.[132]

Licencing system[133]

121. A prospecting licence is valid for one year and is non-renewable. An exploration licence is valid for an initial period of three years, with the option to be renewed twice for additional terms of one year each. A mining licence is valid for a period of 20 years, with the option for a 10-year renewal.

(United States dollars)

Licence type	*Licence fee*	*Annual rentals (Per square kilometre)*
Prospecting	80	8
Exploration	240	32
Mining	960	96

[130] According to the Mining Law Proclamation No.68/1995, art. 41: "Without prejudice to the provision of Article 7 of the Mining Law Proclamation No. 68/1995, the Government may acquire, without cost to itself, a participation interest of up to 10 percent of any mining investment. The Government is also entitled to equity participation not exceeding a total of 40 per cent, including 10 percent mentioned hereinabove, the percentage, timing, financing, resulting rights and obligations and other details of which shall be specified by agreement."

[131] Conversation with the chief executive officer of a European mining company currently active in Eritrea; telephone and e-mail exchanges took place in March 2014, May 2014, and July 2014.

[132] According to the Mineral Proclamation, "The Licensing Authority may, in circumstances it deems appropriate, cause the reduction, suspension or waivers of the imposition of royalty by requesting the appropriate Government body."

[133] See www.eritrean-embassy.se/wp-content/uploads/Eritreas-Mining-Resources-and-Opportunities-2009.pdf.

Production

122. Eritrea produces a variety of minerals and mineral products, which include coral, granite, gravel gypsum, lime, limestone and cement, among others. The following companies are nearing production:

- Zara Mining Share Company: run by ENAMCO (40 per cent) and by the China SFECO Group; production will probably begin by the end of 2014
- Andiamo Exploration will begin production in 2016
- Shanghai Construction Group Company and the Canadian-based Sunridge Gold Corporation are set to start production in 2016 (Asmara Project)

123. As the only producing company, Nevsun Resources has paid taxes, royalties and equity payments on production to the Government of Eritrea.

B. Payments to the Government of Eritrea

124. The data published by Nevsun, a Canadian company that operates the Bisha Mine in Eritrea, shows that Nevsun paid over US$ 85 million to the Government of Eritrea in income taxes, royalties and other government remittances in 2013. The amount is substantially less than the amount paid by the company in 2012, which totalled $317 million.[134] The company estimates that it will pay a total of US$ 14 billion to the Government of Eritrea over the next 10 years as a result of mining. According to the Government of Eritrea, mineral resources are expected to make a modest contribution to economic growth (see annex 2). In addition, the Government of Eritrea stated that payments by Nevsun for the years 2011 to 2013 were before "debt servicing requirements for loans incurred for purchase of 30% equity from the company as well as substantial pro rata payments for the initial capital expenditures for the establishment of the plant prior to production".

125. On 28 April 2014, the Monitoring Group sent a letter to the Chief Executive Officer of Nevsun, in an effort to verify that hard currency raised through mining revenues was not appropriated and channelled through the Government of Eritrea financial structures for the purpose of supporting activities that would constitute a violation of resolution 1907 (2009). In a written response to the Monitoring Group dated 8 May 2014, Nevsun stated that it had numerous confidentiality agreements with vendors that limited the company's ability to share company-specific information with third parties. As such, Nevsun refused to disclose to the Monitoring Group information on how payments were being transmitted to the Government of Eritrea, or to which banks, institutions or companies such funds were being paid. The Chief Executive Officer further stated that such questions fell completely outside the realm of Nevsun's knowledge or influence and questions about the allocation of public finances should be directed to the State of Eritrea. Meanwhile, during a videoconference that took place on 28 July 2014 between the Monitoring Group and the Government of Eritrea, represented by Ambassador Tesfay, Mr. Tesfay stated that the Monitoring Group should direct specific questions to Nevsun, especially on issues related to the issue of how payments were being transmitted to the Government of Eritrea.

[134] Nevsun Corporate Social Responsibility Report 2013, available from www.nevsun.com/pdf/NevsunCSR_2013_May2013.pdf.

126. Nevsun is the only mining company operational in Eritrea and pays royalties and taxes to the Eritrean treasury, and it is difficult, given the opacity of Eritrea's financial management and lack of budget appropriations, to determine whether the funds derived from mining activities might be diverted to finance violations of resolution 1907 (2009).

VI. Acts that obstruct the implementation of resolution 1862 (2009)

127. The Monitoring Group has previously reported details in regards to acts that obstruct the implementation of Security Council resolution 1862 (2009), most recently in its reports on Eritrea for 2012 (S/2012/545) and 2013 (S/2013/440).

128. In paragraph 4 of its resolution 1907 (2009), the Security Council demanded that Eritrea make available information pertaining to Djiboutian combatants missing in action since the border clashes of 10 to 12 June 2008 between the two countries, so that those concerned might ascertain the presence and condition of Djiboutian prisoners of war.

129. In its 2011 report (S/2011/433), the Monitoring Group took note of Eritrea's refusal to discuss the matter of 19 Djiboutian military personnel reported missing in action and believed by the Djiboutian authorities to be held in Eritrea as prisoners of war.

130. On 16 September 2011, two Djiboutian prisoners of war, Privates First Class Ahmed Eeleeye Yaabe and Khadir Sumbul Ali escaped from an Eritrean prison. On 6 October 2011, the Permanent Representative of Djibouti to the United Nations addressed a letter to the Secretary-General informing him of the escaped individuals, while noting that the Government of Eritrea had denied detaining any Djiboutian prisoners of war (S/2011/617). Subsequently, in its 2012 report (S/2012/545), the Monitoring Group confirmed that Eritrean authorities had indeed been holding Djiboutian military personnel and that at least five prisoners of war were known to be still alive at the time.

131. Furthermore, the Monitoring Group recommended (in S/2012/545, para. 137) that the Government of Eritrea should immediately provide all available information relating to the status of Djiboutian prisoners of war in its custody or Djiboutian military personnel reported missing in action following the hostilities of June 2008. However, a member of the Committee placed a hold on a draft letter drawing the attention of the Permanent Representative of Eritrea to this recommendation.

132. The Monitoring Group continues to note the lack of any progress on article 3, concerning prisoners of war, of the Comprehensive Agreement signed on 6 June 2010 by Djibouti and Eritrea under the auspices of the Government of the State of Qatar. On 22 April 2014, at a meeting between the Monitoring Group and the Embassy of Djibouti in Doha, Djiboutian officials informed the Group that there were still 17 Djiboutians being held by Eritrea. They added that Djibouti was prepared to move forward with the mediation process under Qatari auspices, which they described as "frozen". In addition, well-informed sources with contacts within the Qatari and Djiboutian leaderships informed the Monitoring Group that the mediation process had stalled.[135]

[135] Confidential European Union briefing in November 2013; and Monitoring Group interview with an Eritrean political analyst with high level contacts in Djibouti in January 2014.

133. The Government of Eritrea has yet to acknowledge that it holds Djiboutian combatants, or to provide information on their current condition. The Monitoring Group posed explicit questions about Djiboutian prisoners of war to Ambassador Tesfay during the videoconference of 28 July 2014, and the Group reiterated these questions in its letter of 1 August 2014 (see annex 3). In its written response of 13 August 2014 (see annex 4), the Government of Eritrea did not address the issue of Djiboutian combatants, but expressed its commitment to the Comprehensive Agreement and the Qatari-mediated process.

134. As in its previous reports, the Monitoring Group notes that the Security Council in its resolution 2023 (2011) demanded that Eritrea make available information pertaining to Djiboutian combatants missing in action or who may be held by Eritrea as prisoners of war.

135. It is the continuing assessment of the Monitoring Group that the denial by Eritrea that it holds Djiboutian prisoners of war and its refusal to provide information constitutes obstruction of resolution 1862 (2009), and that those responsible should be considered for targeted measures under resolution 1907 (2009).

VII. Obstruction of the investigations or work of the Monitoring Group

136. In paragraph 15 (e) of resolution 1907 (2009) and paragraph 3 of resolution 2111 (2013), the Security Council prohibited obstruction of the investigations or work of the Monitoring Group and established such obstruction as a criterion for listing.

137. In paragraph 31 of resolution 2111 (2013), the Security Council underlined "its expectation that the Government of Eritrea will facilitate the entry of the Monitoring Group to Eritrea without any further delay". Furthermore, in paragraph 32 of the same resolution, the Council urged all Member States "to ensure cooperation with the Monitoring Group" and ensure "unhindered access, in particular to persons, documents and sites the Monitoring Group deems relevant to the execution of its mandate".

138. Further to sections I.A and I.C above, the Government of Eritrea has persistently prevented the Monitoring Group from visiting Asmara or pursuing its investigations inside Eritrea in fulfilment of its mandate.

139. The Monitoring Group considers those responsible for such obstruction to be in violation of paragraph 15 (e) of resolution 1907 (2009) and paragraph 3 of resolution 2111 (2013).

VIII. Recommendations

Engagement with the Government of Eritrea

140. The Monitoring Group recommends that the Committee request the Government of Eritrea to provide the information that the Group has requested pursuant to its engagement and as set out in its official correspondence with the Government of Eritrea.

Financing in support of violations of resolution 1907 (2009)

141. The Monitoring Group recommends that the Security Council request Member States to encourage international financial institutions, including multinational banks, which handle accounts or host correspondent accounts for banks in Eritrea and for PFDJ business entities, to cooperate with the Monitoring Group in its investigations.

Annex 1

Somalia and Eritrea Monitoring Group correspondence, dated 7 March 2014 (S/AC.29/2014/SEMG/OC.14)

UNITED NATIONS NATIONS UNIES

SOMALIA AND ERITREA MONITORING GROUP

REFERENCE: S/AC.29/2014/SEMG/OC.14 7 March 2014

Excellency,

I have the honour to address you in my capacity as Coordinator of the Somalia and Eritrea Monitoring Group (SEMG) mandated pursuant to paragraph 27 of Security Council resolution 2111 (2013), which is attached for ease of reference. Also attached is the letter from the Secretary-General appointing the members of the Group (S/2013/495).

In accordance with its mandate, the Monitoring Group is responsible for investigating, *inter alia*:

- violations of the arms embargos on Somalia and Eritrea;
- acts that threaten the peace, security or stability of Somalia;
- obstruction of humanitarian assistance to Somalia;
- Eritrean support for individuals and groups responsible for destabilization of, or violence in, the region;
- obstruction of the implementation of resolution 1862 (2009) concerning Djibouti;
- obstruction of the work or investigations of the Monitoring Group; and
- violations of the ban on the exportation and importation of charcoal from Somalia.

I am writing following the meeting in Cairo, Egypt, on 14 February 2014, organized under the auspices of the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, between the Monitoring Group and the Government of Eritrea, represented by Mr. Yemane Gebreab, Special Political Advisor to the President of Eritrea, and in the presence of representatives of the Republic of Korea's Mission to the United Nations and the Security Council Subsidiary Organs Branch, Security Council Affairs Division of the UN Secretariat. This meeting followed the earlier meeting between the Government of Eritrea and the Monitoring Group convened in Paris, France, on 8 December 2013.

During the meeting in Cairo, the Monitoring Group discussed the following investigations with Mr. Gebreab, who agreed to provide additional information along the lines below.

/...

His Excellency
Mr. Araya Desta
Permanent Representative of
Eritrea to the United Nations
New York

cc: Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

Arms Embargo

The Monitoring Group raised reports of possible violations that include the arming of the Tigray People's Democratic Movement (TPDM) by the Eritrean People's Milita. Mr. Gebreab was aware of such reports and the Monitoring Group requested information on the possible sources of these arms.

The Monitoring Group raised the issue of the Asha Golgol facility, which is reported to be used for military procurement by the Eritrean Defense Force. Mr. Gebreab informed the Monitoring Group that this facility is a technical facility that is used for strengthening Eritrean technical capacity in the areas of machinery, transportation, computer assembly and solar power. The Monitoring Group discussed with Mr. Gebreab potential access to the facility and in the meantime requested further information regarding this facility, which Mr. Gebreab offered to provide in following up on the request.

Diaspora Tax

The Monitoring Group raised the issue of Eritrea's diaspora tax, about which it continues to receive information, and requested feedback from Mr. Gebreab in order to better understand how the tax is collected and used. Mr. Gebreab offered to provide a detailed written response, but provided an initial explanation. Specifically, the Monitoring Group requested:

- Further details on how this tax works;
- Any information that addresses concerns about the contribution of this tax to the destabilization of the Horn of Africa; and
- Any information that addresses concerns about the manner in which the tax is collected.

Natural Resources

The Monitoring Group raised the issue of natural resources in order to better understand the use of revenues from natural resources and requested transparency with regards to Eritrea's budget and its expenditures. Mr. Gebreab acknowledged that there was insufficient information about the budget and offered to provide budget documents for the last three years of the Government of Eritrea, which give a comprehensive and complete picture of revenues and expenditures. Additionally, the Monitoring Group requested information on Eritrea's mining sector.

Visit to Eritrea

In the overall context of the issues raised during the meeting in Cairo, the Monitoring Group and Mr. Gebreab also discussed the possibility of a visit to Asmara. Accordingly, we look forward to continue this discussion.

We would appreciate your reply to the Monitoring Group's information requests above at your earliest convenience through the Secretary of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, Ms. Snjezana Gillingham (Room DC2-0854, United Nations, New York, NY 10017: fax: +1-212-963-1300; email: gillingham@un.org).

In the meantime, the Monitoring Group remains available for further dialogue and closer engagement with the Government of Eritrea.

Please accept, Excellency, the assurances of my highest consideration.

Jarat Chopra
Coordinator
Somalia and Eritrea Monitoring Group
Security Council Resolution 2111 (2013)

Annex 2

Government of Eritrea correspondence, dated 28 July 2014 (S/AC.29/2014/NOTE.27/Add.1)

SECURITY COUNCIL COMMITTEE PURSUANT TO RESOLUTIONS 751 (1992) AND 1907 (2009) CONCERNING SOMALIA AND ERITREA

S/AC.29/2014/COMM.65
28 July 2014
ORIGINAL: English

Note verbale dated 28 July 2014 from the Permanent Mission of Eritrea to the United Nations addressed to the Secretary of the Committee

The Permanent Mission of the State of Eritrea to the United Nations presents its compliments to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1991) and 1907 (2009); and in reference to latter's letter S/AC.29/2014/SEMG/C.14, dated 7 March 2014, has the honour to attach herewith Eritreu's written response to the issues contained in the aforementioned letter.

The Permanent Mission of Eritrea to the United Nations avails itself of this opportunity to renew to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1991) and 1907 (2009) the assurances of its highest consideration.

New York, 28 July 2014

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البعثة الدائمة لدولة اريتريا
لدى الامم المتحدة - نيويورك

Permanent Mission of The State of Eritrea
To the United Nations, New York

Eritrea's Response to the Information Request Contained in the Letter S/AC.29/2014/SEMG/C.14

14 July 2014

1. **The Government of Eritrea (GOE) has been engaged with the Chair of the Security Council Committee, H.E. Ambassador Oh Joon, and has actively participated in good faith in the meetings that took place in Paris and Cairo, which were facilitated by his office.**

2. **It must also be underlined that the Government of Eritrea (GOE) on several occasions and at different venues has communicated, in writing and orally, its perspectives and explanations concerning the unjust and illegal sanction resolutions as well as different allegations levelled against it. However, in the sprite of cooperation and engagement, Eritrea sees the need to once more spell out its views on the number of issues which have been raised in the Paris and Cairo meetings in hopes of dispelling the politically motivated lingering misperception and assumptions.**

3. **In these written responses and meetings, Eritrea has expressed its concern regarding the manner in which SEMG has discharged its mandates. Eritrea once again reiterates the need for Somalia Eritrea Monitoring Group (SEMG) to respect the standards for investigation as stipulated in the Report of the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997) which, inter alia, underscores the need for expert panels to rely on verified information and documents, and ensure that their "assertions are corroborated by solid information and that their findings are substantiated by credible sources". It must also refrain from dwelling into matters that does not fall within its mandate. The principle of transparency, objectivity and impartiality must be respected.**

I. **The 2% Recovery and Rehabilitation Tax (RRT)**

4. **Eritrea wants to underline that the levying of various taxes is surely the prerogative and sovereign right of any country and exclusive matter that concerns its citizens.**

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e-mail : general@eritrea-unmission.org

Moreover, the UN Security Council Resolution 2023 (2011) does not prevent Eritrea from collecting Recovery and Rehabilitation Tax (RRT).

5. The RRT is part and parcel of Eritrea's taxation law and system. It has its own evolution and history. Historically, Eritreans in all walks of life voluntarily contributed to the national cause during the 30-year armed struggle for independence and self-determination. This was at a time when the international community had largely ignored the inalienable national rights for self-determination and predicaments of the Eritrean people. In those years, Eritreans abroad came together in civil society associations organized along professional, occupational and gender dimensions to raise funds in support of relief and developmental work in the liberated areas and to conduct public awareness campaigns. The magnitude of their contributions varied from place to place and with time. Generally, monthly contributions from members of the associations of Eritrean students hovered around 10% while that of Eritrean women and workers reached 20% of their gross income. This voluntary financial contribution was not only vital in terms of mitigating the humanitarian consequences of the protracted war for independence; but it was indispensable in reinforcing the bond between the Diaspora and their compatriots at home.

6. After Eritrea's independence in 1991, the nascent government faced enormous economic challenges and hurdles. In addition to devastated infrastructure and economy, the GOE had to address an onerous social burden for the upkeep of the families of martyrs and the disabled; over **60,000 martyrs** and over **10,000 war disabled**. The GOE allocated a monthly payment of 500 Nakfa (birr at the time) for families of martyrs that is payable for the lifetime for the parents while limited until the age of 18 years for minor dependents and siblings of the martyrs. All war disabled fighters that could not be fully rehabilitated with employable skills are also beneficiaries for monthly payments. The demobilization programme was another major project implemented in 1994 largely through government funds.

7. Under these circumstances, and as many citizens in the Diaspora launched spontaneous and voluntary but fragmented initiatives, to raise funds for the above

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mentioned noble and humanitarian causes it became essential and necessary to institutionalize those initiatives. Eritreans residing abroad discussed the matter on the bases of their experience during the 30-years struggle for independence. The overriding desire was to imbue some structure and uniformity to what was effectively a burgeoning spontaneous and voluntary grassroots movement. Subsequently with clear objective of funding a countries social and development programs, in 1994, the Eritrean National Assembly enacted the Rehabilitation and Recovery Tax Proclamation (RRT). The RRT Proclamation specifically targets only Eritrea citizens in Diaspora, not citizens of other countries of Eritrean decent. The rate was fixed at a low of 2% of net income; in a country where personal income tax is progressive and reaches 38%.

8. The Rehabilitation and Recovery Tax was envisaged as a time-bound provision which would wind up at some time in the near future as the economy of the new country grows and the social responsibility and burdens eases. This was underlined during the discussions at the Eritrean National Assembly, although it was not articulated in the form of a definitive *sunset clause* at the time of its proclamation. However, subsequent developments, and notably the border war instigated by Ethiopia in 1998 and its sequel, have made revision of the RRT Proclamation practically impossible. It must be underlined that the border war between Eritrea and Ethiopia (1998-2000) had cost life of 19,000 Eritreans and has created additional martyrs families.

9. The legality of the RRT is unambiguous, and purposes laudable. It represents a symbolic burden sharing by the Eritreans in Diaspora with the people inside the country. In this sense, its historical, moral, humanitarian and patriotic contents and values are more significance and profound than its material dividend. In fact, the funds collected annually are modest that should not be overstated when compared with government budget and expenditure on basic social services. For the last four years, for instance, the aggregate RRT collected annually vary from a total of 14.8 million US dollars in 2010 to 24.7 million US dollars in 2013. In those four years, the aggregate RRT collected does not exceed 73 Million US dollars, while budgetary appropriation by the Government for the family of martyrs

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and war disabled individuals for the same period hovers around 28 million US dollars annually, which is almost 112 million dollars for the four year period.

10. **The distorted allegations that the GOE employs "*extortion, threats of violence, fraud and other illicit means*" to collect the RRT is utterly baseless. It is a deliberate misinformation aimed at creating misperception about the active and voluntary participation of the Eritreans in Diaspora in the affairs and development of their country. The GOE has neither the means nor the desire to enforce the RRT proclamation through extra-legal means. As is the case in all countries, Eritrea has specific clauses on the rights and obligations of citizens concerning taxation. Regarding the RRT, there are explicit enforcement measures implemented domestically such as "denial of business license and land entitlements to those who fail to meet their fiscal obligation". These measures are not and cannot be implemented extraterritorially. They do not also curtail the natural right of Eritrean citizens to visit their home country or relatives so long as they are holders of Eritrean national identity card or passport. They don't need a visa to enter Eritrea. Furthermore, as it is propagated in some quarters and is frequently echoed in the reports of the SEMG, there is no "*harassments against their families living in the country*".**

11. **Another misperception is that the "UN Security Council Resolution 2023 (2011) prevents Eritrea from collecting the RRT". No provision in the stated resolutions prevents Eritrea from levying 2% tax from Eritreans residing abroad. The measures imposed by some countries, under the pretext of implementing UN Security Council Resolution are incorrect and constitute at best, a misinterpretation of the Resolution. In fact, it is incumbent on the Security Council as well as the SEMG to alert the member countries when their actions in implementing the UNSC resolutions are not consistent with the provisions of the resolution.**

12. **Given the fact that the African Diaspora recognized as the Sixth Region of Africa by the Head of States of the African Union (AU) and the establishment African Remittance Institute becoming a reality, Eritrea which has effectively and**

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independence and 24-years national economic development must be commended and emulated, not punished and obstructed.

II. Eritrea's Mining Revenues

13. Eritrea is endowed with mineral resources that are expected to make a modest contribution to economic growth. At present, there are around 17 foreign companies that have been granted mineral exploration and development licenses, but to date only Bisha has been doing actual production.

14. The languages used in UNSC Resolution 2023 (2011) concerning the Eritrean mining sector leaves much to be desired. There are two aspects of the resolution that require emphasis. First, the recommended action is, once again, anchored on hypothetical assumptions and potential use. In the first place, the edifice from which the purported measures ensue rests on speculative and presumptive ground as it relates to a "potential" rather than an "actual" act that has been established beyond any reasonable doubt. It is not based on factual and solid evidences of Eritrea's misuse of revenues from the mining sector for acts that breach international law. In fact, the burden of proof is curiously transferred from the plaintiff to the accused party. This is not in consonance with, but rather contrary to, rudimentary legal and procedural principles. Second, the fact that these guidelines were optional underscores, even if in an implicit manner, that the sponsors of the resolution were not comfortable with the rational and logic of the case they wanted to make.

15. It must be underlined that revenues from Eritrea's first mining plant began to materialize at more or less the same period when Resolution 2023 (2011) was adopted. Although Nevsun, the Canadian-based mining company, started prospecting and exploration activities in Bisha in 2003, production began in 2010 only. Bearing in mind that the principal reason why the sanctions against Eritrea were imposed in 2009 had to do with its purported financing of Al-Shebaab well before the start of the mining operations in Bisha, the sudden switch to the "potential use of mining revenues for destabilization" is very tenuous to say the least.

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16. In the Bisha Mining operation, the Canadian company, Nevsun, holds majority (60%) share in operations, while the Eritrean National Mining Company holds the remaining 40%. Nevsun is a publicly quoted company subject to Canadian commercial laws and regulations. The financial proceedings of the Bisha plant are consequently issued on a quarterly basis and available in the public domain. These financial reports naturally include the proceedings that accrue to Eritrea in the form of corporate tax, royalties and dividends for anyone to see and read.

17. As these public data corroborate, aggregate GOE revenue from royalty, taxes and dividends averages about 200 million US dollars annually for the years 2011-2013. And this is prior to its debt servicing requirements for loans incurred for purchase of 30% equity from the company as well as substantial *pro rata* payments for the initial capital expenditures for the establishment of the plant prior to production. This income that Eritrea gets from this single mining operation is small in relation to its public expenditures on education, health, food security and infrastructural projects and programmes. It does not even cover the country's annual food import bill.

18. In brief, the intrusive measures envisaged in Paragraphs 12, 13 and 14 of the Resolution that include "the issuance of due diligence guidelines" seem to have been prompted by an unhealthy desire to harass Eritrea and scare potential investors in the mining sector rather than a sincere concern on the misuse of mining revenues, which the SEMG has so far failed to prove beyond reasonable doubt.

III. Arms Embargo

19. Eritrea would like one again express its indignation at this misplaced depiction of Eritrea. Eritrea is not the perpetrator but rather the victim of regional destabilization. The time has come to acknowledge and applaud Eritrea's growing engagement and constructive role in the region. Eritrea has indeed a laudable record of seeking peaceful/arbitral solutions for good-faith border disputes when they arise and respecting the resulting verdicts without equivocation. In addition, Eritrea's developmental and national security interests are better served in an environment of regional peace. Its pronounced foreign policy is in fact anchored on the enhancement of a safe and cooperative neighbourhood

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20. Eritrea finds it difficult to understand the rationale of the arms embargo imposed by the Security Council, while its land, including the town of Badme, remains occupied by Ethiopia in breach of the UN Charter, international law, the Algiers Peace Agreement, numerous Security Council resolutions and the Final and Binding Eritrea Ethiopia Boundary Commission (EEBC) 2002 Delimitation and 2007 Demarcation decisions. On the contrary, Ethiopia has no restrictions on bolstering is defence forces and continues to purchase arms without restrictions as its contracts worth 200 million dollars for tanks from Ukraine this year alone attest.

21. While Eritrea is entitled to legitimate self-defence in accordance with Article 51 of the UN Charter, the UNSC Resolutions to impose an unwarranted and lop-sided arms embargo on Eritrea is an approach that lack balance, fairness and legality in terms of the UN Charter and the requirements of peace and stability in the Horn of Africa region. It rewards culprit while it punished the victim. Therefore, the armed embargo should be imposed against Ethiopia, not Eritrea.

22. Despite repeated protestations and widely available information that the Ethiopian government does not deny, but on the contrary openly boasts about, the SEMG has refused to provide context about Ethiopian blatant destabilization actions against Eritrea and other countries in the region. Instead it has chosen to focus on spurious allegations against Eritrea.

23. The Ethiopian Government pursues an open policy of "regime change" and continues harbour, finance and arm Eritrean subversive groups. A press report issued this week talks about a meeting between Ethiopia's defence and intelligence services and leaders of Eritrean armed opposition movements to advance this aim. (See annex 1 and 2) Yet, Ethiopia is not brought to account and no punitive measures are taken against it in spite of its flagrant violations of international law. It must be recognised that these anomalous realities are not only unfair but also carry the risk of encouraging Ethiopia to indulge in more reckless and unlawful acts of aggression against Eritrea.

24. It must be recalled that when UNSC Resolution 1907 (2009) was adopted, the principal reason evoked to impose arms embargo was Eritrea's "military support to

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e-mail : gmeru@eritrea-unmission.org

Al-Shebaab in Somalia". Eritrea was then wrongly accused of sending 2000 soldiers to Somalia. This false report was never acknowledged in retrospect or formally retracted from the SEMG reports and records later although the fallacy had become common knowledge. Another bogus accusation was levelled against Eritrea in November 2011. Again, Eritrea was accused for air-lifting weapons to Al-Shebaab through Baidoa. This false accusation was timed to coincide with and influence the deliberations of the UNSC on Resolution 2023.

25. Almost five years from the imposition of unfair sanctions against Eritrea, it is now accepted that Eritrea is free from any military or financial involvement in regards to Somalia.

26. However, some quarters who have a political keeps on moving the goalpost by making other unfounded allegations which are irresponsibly echoed by the SEMG until it harms Eritrea only to be dropped quietly later without ascertaining its veracity and/or the sinister motivations of those who fabricated it in the first place. These days new fabricated allegation is paddled associating Eritrea with Riek Machar in the conflict in South Sudan. Is it a case of déjà vu? This is another ridiculous allegation, which was unsurprisingly made by Ethiopia. Eritrea has repeatedly made its position on the tragic crisis in South Sudan very clear. Eritrea is unequivocally opposed to a destructive armed rebellion against the legitimately established government of South Sudan. Eritrea supports a comprehensive ceasefire, containment of the situation and a peaceful settlement of the underlying issues. And yet, the Ethiopia-inspired, anti-Eritrean disinformation campaign and accusation has appeared in three subsequent reports of the Monitoring Group with at first in the February report as "circumstantial" and in the March and April reports with "credible" qualifications and endorsements.

27. It must be underscored countries that have a hostile agenda against Eritrea cannot be used as credible sources. Sadly these legitimate pleas continue to be ignored as the as following sentences from May 2014 SEMG Report illustrates: "... On 12 and 13 May 2014, in Addis Abeba, the SEMG met with Ethiopian Prime Minister, H.E. Hallemariam Desalegn, the Minister of Foreign Affairs, H.E. Tedros Adhanom

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Ghebreyesus, the State Minister of the Ministry of Foreign Affairs, H.E. Berhane Gebre-Christos, as well a number of other senior ambassadors and security officials, to discuss areas of cooperation and pending investigations of the SEMG". The SEMG monthly report continues to say that "... In May 2014, the SEMG travelled to Djibouti to meet with authorities as part of its investigations into allegations that Eritrea is providing material and logistical support to Riek Machar's forces in South Sudan".

28. As Eritrea has pointed out in many of its previous communications, it is incumbent on the SEMG to be objective, transparent, impartial and non-political and conduct thorough validation process of the accusations levelled against Eritrea. It is high time to stop wild and unfounded and politically motivated accusations against Eritrea from the usual suspects that are bent on using the SEMG for their own interests. Instead, those who repeatedly make accusations that have been proven false in the past should be accounted. In this context, it is important to state that as clearly articulated in a recently leaked Ethiopian Ministry of Foreign Affairs document that was sent on 20 February 2014 to all its diplomatic missions the State Minister Ambassador Berhane Gebre-Christos has instructed his diplomats, inter alia,: "to constantly provide information to the security and intelligence agencies of the countries of the region so that they will understand and explain Eritrea's destabilizing role in the region;.... to lobby member states of the UNSC to accept the reports of the SEMG as credible; and,..... to develop close relations with the relevant departments in the UN Secretariat in order to ensure that the reports are in line with Ethiopia's position, or at least don't hurt Ethiopia's position." (See Annex 3)

IV. Conclusion

29. It is now five years since the unjust sanctions were imposed on Eritrea. They have not contributed to regional peace and security in the Horn of Africa. In fact, if they are not lifted they will bring and perpetuate more instability and conflict in the region. Indeed, they have harming the people of Eritrea, hampering economic and social development. And it is now clear that there is no justification for their continuation.

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30. The initial and principal accusation concerning Eritrean support to Al-Shabaab has long been proven to be non-existent. Moreover, Eritrea is committed to the facilitation by the State of Qatar to overcome enhance its relationship with Djibouti.

31. Therefore, it is now clear that there is no justification for their continuation. Eritrea once again appeals to the United Nations Security Council to urgently lift these unjust and counterproductive sanctions.

32. The event over the past 15-year and the facts on the ground clearly shows that it is Ethiopia, not Eritrea that is actively engaged in destabilizing the region. Its continued occupation of sovereign Eritrean territory, including the town of Badme, with impunity, in violation of the United Nations Charter and its treaty obligation is the main cause of the instability in the Horn of Africa. In the interest of peace and security in the region and within the context of Resolutions 1907 (2009) and 2023 (2011), which reaffirms respect for the sovereigntys and territorial integrity of Eritrea, Ethiopia must be urged immediately and without any precondition to withdraw from sovereign Eritrean territories , including the town of Badme.

###+++###

Attached:

1. Ethiopian Military Meets With Erit an Opposition Military Leaders (Annex 1)
2. Eritrean refugees in Ethiopia vow to join armed struggle (Annex 2)
3. Leaked Ethiopia's foreign ministry memo exposes its destabilizing policy against Eritrea (EXCERPTS) (Annex 3)

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e-mail : general@eritrea-unmission.org

Annex 3

Somalia and Eritrea Monitoring Group correspondence, dated 1 August 2014 (S/AC.29/2014/SEMG/OC.64)

UNITED NATIONS NATIONS UNIES

SOMALIA AND ERITREA MONITORING GROUP

REFERENCE: S/AC.29/2014/SEMG/OC.64 1 August 2014

Excellency,

I have the honour to address you in my capacity as Coordinator of the Somalia and Eritrea Monitoring Group (SEMG) mandated pursuant to paragraph 27 of Security Council resolution 2111 (2013).

In accordance with its mandate, the Monitoring Group is responsible for investigating, *inter alia*:

- violations of the arms embargos on Somalia and Eritrea;
- acts that threaten the peace, security or stability of Somalia;
- obstruction of humanitarian assistance to Somalia;
- Eritrean support for individuals and groups responsible for destabilization of, or violence in, the region;
- obstruction of the implementation of resolution 1862 (2009) concerning Djibouti;
- obstruction of the work or investigations of the Monitoring Group; and
- violations of the ban on the exportation and importation of charcoal from Somalia.

I am writing following the New York and Nairobi, Kenya, videoconference on 28 July 2014 organized under the auspices of the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee), between the Monitoring Group and the Government of Eritrea, represented by you as Permanent Representative of Eritrea to the United Nations, and in the presence of the Chair of the Committee as well as its Acting Secretary and the Chief of the Security Council Subsidiary Organs Branch, Security Council Affairs Division of the United Nations Secretariat. This videoconference followed the earlier meetings outside Eritrea between the Monitoring Group and the Government of Eritrea convened in Paris, France, on 8 December 2013 and in Cairo, Egypt, on 14 February 2014.

His Excellency
Mr. Girma Asmerom Tesfay
Permanent Representative of
Eritrea to the United Nations
New York

cc: Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea

Following the meeting in Cairo, the Monitoring Group sent a letter dated 7 March 2014 (S/AC.29/2014/SEMG/OC.14) to H.E. Mr. Araya Desta, then Permanent Representative of Eritrea to the United Nations, outlining the investigations of the Monitoring Group at that time, in advance of the Group's midterm briefing to the Committee, and the additional information that Mr. Yemane Gebreab, Special Political Advisor to the President of Eritrea, agreed to provide following the meeting.

While in the interim the Monitoring Group did not receive the information from Mr. Gebreab agreed to in Cairo, the Group appreciates the set of documents you provided during the 28 July 2014 videoconference. The Monitoring Group has had the opportunity to review the documents that you provided, but finds that they do not fully address the issues raised in Cairo and reflected in the Group's letter of 7 March 2014.

During our videoconference, the Monitoring Group explained that it had completed its investigative phase and was currently drafting its final report on Eritrea. Prior to reaching its final conclusions and completing its report, and in order to seek the views of the Government of Eritrea, the Monitoring Group described its investigations and requested additional information along the lines below.

Armed Groups

1. ONLF

The Monitoring Group raised the issue of Eritrea's support for the Ogaden National Liberation Front (ONLF). The Group's current findings show that this support included the hosting of a conference in Eritrea in August 2013, attended by senior members of the ONLF and Eritrean officials, as well as the provision of financial support to the armed group. Specifically, the Monitoring Group requested the Government of Eritrea to provide:

- Further details regarding the meeting that took place in August 2013, including information about the decisions taken during the meeting, and the role of the Eritrean officials present at the meeting;
- Details regarding the relationship between Eritrea and the ONLF, as well as regarding the presence of the ONLF in Eritrea.

2. TPDM

The Monitoring Group raised the issue of Eritrea's military and financial support to the Tigray People's Democratic Movement (TPDM). The Group had earlier raised this issue with Mr. Gebreab in Cairo. The Monitoring Group would like to reiterate its previous request to the Government of Eritrea and additionally request information regarding:

- The nature of the relationship between Eritrea and the TPDM;
- The sources of the arms provided to the TPDM by Eritrea; and
- Information regarding the location of military camps where the TPDM is being trained.

3. Ginbot Sebat

The Monitoring Group raised the issue of Eritrea's support for Ginbot Sebat. The Group's current findings show that this support included the training, arming and facilitation of members of Ginbot Sebat. The Group informed the Government of Eritrea that it had recovered travel documents issued by Eritrea for Ginbot Sebat fighters, as well as grenade pins with serial numbers consistent with a sequence of serial numbers of other grenade pins provided by Eritrea to another armed group in 2011. Specifically, the Monitoring Group requested the Government of Eritrea to provide:

- Further details regarding the relationship between Eritrea and Ginbot Sebat;
- An explanation of the travel documents and the consistency of serial numbers of the grenade pins described by the Monitoring Group; and
- Information regarding the location of the military camp where Ginbot Sebat is being trained.

Arms Embargo

4. South Sudan

The Monitoring Group explained that it had received credible information that Eritrea provided military and logistical support to three armed rebel groups in South Sudan: the SPLA-O forces loyal to former Vice President Riek Machar, the David YauYau group and George Athor Deng's rebel forces. As of this date, the Monitoring Group has not received evidence to support this information. The Monitoring Group requested the Government of Eritrea to provide the following:

- Information and a clarification regarding the source and origin of these reports; and
- The Monitoring Group notes the documents you provided during the videoconference state the position that "Eritrea is unequivocally opposed to a destructive armed rebellion against the legitimately established government of South Sudan. Eritrea supports a comprehensive ceasefire, containment of the situation and a peaceful settlement of the underlying issues." The Monitoring Group would like to request a response from the Government of Eritrea regarding the specific details pertaining to the delivery of weapons in January and February 2014 that the Monitoring Group received and which it shared with you during the videoconference.

5. Eastern Sudan

The Monitoring Group explained that it had received credible evidence that Eritrea is smuggling weapons from the eastern regions in Sudan to Eritrea. The Group understands that this trade is directed by Colonel Tesfaldet Habtesailasie and Nusredin Ali Bekit, manager of the Tesseney branch of the Red Sea Corporation. Specifically, the Monitoring Group requested the Government of Eritrea to provide:

- A clarification pertaining to the nature of the arms trade relationship between Eritrea and the Sudan; and
- Details regarding the roles of Colonel Habtesailasie and Nuredin Bekit in the arms trade.

Financial Issues

6. Diaspora Tax

The Monitoring Group raised the issue of the diaspora tax collected by Eritrean consulates and embassies worldwide. In some cases, the collection of the tax appears to be non-voluntary, as officials can deny consular services to Eritreans who refuse to pay the tax. The Monitoring Group previously raised this issue with Mr. Gebreab in Cairo. Mr. Gebreab offered to provide a detailed written response, but at the time provided an initial explanation of how the tax works and addressed concerns that Eritrea employs extortion, threats of violence, fraud and other illicit means to collect taxes. The Monitoring Group would like to reiterate its earlier request for information and additionally request from the Government of Eritrea the following:

- Information on the methods utilized to collect the tax; and
- The Monitoring Group notes the documents you provided during the videoconference state, in terms of the revenue collected through the diaspora tax, that: "In those four years, the aggregate RRT collected does not exceed 73 Million US dollars, while budgetary appropriation by the Government for the family of martyrs and war disabled individuals for the same period hovers around 28 million US dollars annually, which is almost 112 million dollars for the four year period". The Monitoring Group would like to request documentation showing that the revenue collected annually is appropriated by the Government of Eritrea for the families of martyrs and war disabled.

7. Natural Resources

The Monitoring Group discussed the issue of natural resources in order to better understand the use of revenues. During the meeting in Cairo, Mr. Gebreab acknowledged that there was insufficient information about the national budget and offered to provide budget documents for the last three years of the Government of Eritrea, which give a comprehensive and complete picture of revenues and expenditures. During the videoconference, the Monitoring Group reiterated its request made during the Cairo meeting for transparency with regards to Eritrea's budget and expenditures and asked for budget documents that clearly demonstrate the use of revenues derived from the mining sector by the Government of Eritrea. In addition, the Monitoring Group further requested the Government of Eritrea to provide financial information and evidence showing the allocation of revenues derived from mining operations that covers the period from December 2009 to the present date, including:

- Detailed information on the destination and allocation of funds derived from mining activities, including any documents that reflect the ultimate disposition of funds received;
- Names of entities or individuals inside and outside Eritrea receiving payments of more than USD 10,000 in cash or equivalent from Nevsun, its subsidiaries and sub-contractors;
- The purpose, method and date of these payments;
- The recipient bank's full name, routing number and full address; and
- The full name and address of the account holder and account numbers to which such payments were made.

Djibouti-Related Issues

8. POWs and Qatari Mediation

The Monitoring Group explained that it had spoken with officials of Djibouti, which maintains that Eritrea continues to hold 17 prisoners of war. The Monitoring Group would like the Government of Eritrea to provide:

- A response to whether or not Eritrea is holding Djiboutian prisoners of war; and
- A clarification of the status of the mediation process sponsored by Qatar.

Visit to Eritrea

In the overall context of the issues raised during the meeting in Cairo, the Monitoring Group and Mr. Gebreab also discussed the possibility of a visit to Asmara. Similarly, the Monitoring Group raised the issue again during the videoconference. Accordingly, we look forward to following up directly with the Permanent Mission of Eritrea to the United Nations.

We would appreciate your reply to the Monitoring Group's information requests above at your earliest convenience, but no later than 15 August 2014, through the Acting Secretary of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea, Ms. Snjezana Gillingham (Room DC2-2052, United Nations, New York, NY 10017; fax: +1-212-963-1300; email: gillingham@un.org).

Please accept, Excellency, the assurances of my highest consideration.

Jarat Chopra
Coordinator
Somalia and Eritrea Monitoring Group
Security Council Resolution 2111 (2013)

Annex 4

Government of Eritrea correspondence, dated 13 August 2014 (S/AC.29/2014/NOTE.79/Add.1)

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البعثة الدائمة لدولة إريتريا
لدى الأمم المتحدة - نيويورك

Permanent Mission of The State of Eritrea
To the United Nations, New York

Permanent Mission of the State of Eritrea to the United Nations presents its compliments to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1992) and 1907 (2009); and in reference to the letter of the Monitoring Group S/AC.29/2014/SEMG/OC.64.14, dated 01 August 2014, has the honour to attach herewith Eritrea Government's written response Dated 12 August 2014.

The Permanent Mission of Eritrea to the United Nations avails itself of this opportunity to renew to the Secretary of the Security Council Committee established pursuant to Security Council Resolutions 751 (1991) and 1907 (2009) the assurances of its highest consideration.

New York, 13 August 2014

Secretary of the Security Council Committee
established pursuant to Security Council
Resolutions 751 (1992) and 1907 (2009)
concerning Somalia and Eritrea
New York, NY 10017

800 Second Avenue 18th Floor New York, NY 10017 • Tel : (212) 687-3390 • Fax : (212) 687-3138
e-mail : general@eritrea-unmission.org

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The State of Eritrea
Ministry of Foreign Affairs

دولة إرتيريا
وزارة الشؤون الخارجية

ERITREA'S RESPONSE TO THE QUERIES CONTAINED IN THE LETTER S/AC.29/2014/SEMG/OC.64

Asmara, 12 August 2014

Eritrea has been asked, pursuant to the Monitoring Group's (SEMG) letter of 01August 2014, Ref. No. S/AC.29/2014/SEMG/OC.64, to provide supplementary response to queries that were forwarded to it on previous occasions and that were specifically raised during the video conference held in New York on 28 July 2014 with Eritrea's Permanent Representative to the UN, Ambassador Girma Asmerom, through the good offices and facilitation of the Chair of the Security Council Committee.

Eritrea wishes to emphasize at the outset that it has provided extensive written and oral explanations to these questions through various communications in the past as well as during the meetings that took place in Paris and Cairo. This was also repeated through written and oral submissions at the most recent meeting that took place on 28 July 2014 in New York. In this context, the response here will be brief. It will be limited to issues that may require further elaboration.

1. Alleged support to South Sudanese rebel forces

The Monitoring Group states in its letter that it has "received credible information that Eritrea provided military and logistical support to three armed rebel groups in South Sudan: the SPLA-O forces loyal to former Vice President Reik Machar, the David Yaw Yau group and George Athor Deng's rebel forces". In the same paragraph, however, the SEMG asserts that "it has not received, as of this date, evidence to support this information". Why then is the SEMG asking Eritrea to explain these baseless accusations.

Eritrea strongly feels that the SEMG should have dismissed outright this, and any other uncorroborated accusations that it may have received, as pure defamatory hearsay not worthy of further probing. Unfortunately, Eritrea is once again asked in the letter to "provide information and a clarification regarding the source and origin of these reports".

This is inappropriate. Eritrea cannot, surely, be asked to second-guess the identities of, and speculate about, the "sources and origin of these reports". As the accused party, Eritrea deserves to be provided with the full particulars of all those who have fed false information

to the SEMG for a variety of political objectives and considerations. Eritrea would then be in a position to shed light on their particular motivations.

This typical episode amplifies the vexing manner in which the SEMG collects and validates its information. We have underlined, time and again, the importance for the SEMG to disclose all the details of its sources to Eritrea as the accused party. Reasons of transparency, accountability as well as the basic legal principle of the equality of arms all warrant that this be the normative state of affairs. Unfortunately, the SEMG routinely invokes "confidentiality" and other implausible reasons to ignore Eritrea's persistent requests and deny it indispensable information.

The SEMG argues that its validation process of seeking multiple testimonies for information originating from a hostile or interested party against Eritrea precludes "biased and unwarranted conclusions". The flaws in this argument and methodology are again palpable. A fabricated story prompted by Ethiopia, and any other adversary of Eritrea for that matter, could be repeated by multiple sources in different countries that belong to, or are linked with, the same opaque league and network. In the event, ***multiplicity of sources cannot be a sufficient condition for validating baseless accusations.***

In its letter of 01 August 2014, the SEMG further requests Eritrea to give specific responses to alleged reports of the "delivery of weapons in to the SPLM-in-Opposition in January 2014 and February 2014". In previous communications, the SEMG talks about "information it has obtained of weapons supplies, including AK 47 and Iranian made rifles (sic?), to David Yau Yau group in February and July 2014; and the airdropping of logistical items such as sugar and other items etc.".

All these wild accusations have no grain of truth whatsoever. The SEMG itself acknowledges the lack of any evidence. Why it has chosen to ask Eritrea to explain non-events and groundless accusations is really a riddle we cannot figure out.

As we have underlined in our previous oral and written responses, Eritrea remains deeply concerned by the tragic crisis in South Sudan. Eritrea harbours sincere good wishes for a speedy resolution of this crisis which has dragged for too long entailing huge sufferings to the South Sudanese people.

Moreover, the timing of this groundless accusation of involvement with rebel groups in South Sudan is suspect and provokes grave concerns in Eritrea of an almost predictable and consistent pattern of deliberately floating sensational stories and disinformation in the weeks prior to any UNSC discussion concerning Eritrea.

As it happened, Eritrea was accused of sending 2000 soldiers to Somalia in the months before the UNSC imposed Sanctions Resolution 1907 against Eritrea. This deliberate

disinformation was not seriously questioned at the time and was quietly discarded later once it had served its purpose. The SEMG did not take the trouble to apologize to Eritrea and/or correct this baseless information even in retrospect. Similarly, another bogus accusation was leveled against Eritrea in November 2011. Again, Eritrea was accused for air-lifting weapons to Al-Shebaab through Baidoa. This false accusation was made to coincide with and influence the deliberations of the UNSC on Resolution 2023. Once again, this calculated and deliberate disinformation was quietly discarded after it had achieved its intended objective of tightening the sanctions against Eritrea. Today, for the third time, we see new allegations associating Eritrea with rebel groups in South Sudan. This pattern must be stopped. Furthermore, such baseless and unsubstantiated allegations against Eritrea should not be reported by the SEMG to the Sanctions Committee under dubious validation procedures and seemingly plausible qualifications.

2. <u>Support to Ethiopian Armed Groups</u>

The Monitoring Group mentions to alleged meetings that took place between Eritrean officials and the ONLF; refers to "travel documents" that Eritrea presumably issued to some members of "Ginbot Sebat"; talks about "grenade pins with serial numbers consistent with a sequence of serial numbers of other grenade pins provided by Eritrea to another armed group in 2011"; reveals that it has "received information on financial and military support as well as training extended by Eritrea to the TPDM"; and, requests Eritrea to provide responses to these specific accusations.

Obviously, this elaborate reference to "grenade pins…serial numbers…travel documents…" etc is designed to convey the impression of the "existence of incontrovertible evidences", of a smoking gun so to speak, of Eritrea's deep involvement in acts of destabilizing against Ethiopia. Travel documents that may have been easily forged by forces who have an interest in framing Eritrea; serial numbers of bullets or weapons that may have exchanged hands between Eritrea and Ethiopia in the course of their multiple wars in the past years …etc, cannot be taken as iron-clad proofs of Eritrea's misconduct that entail punitive action by the UN Security Council.

On a more substantive level, Eritrea questions the legality, fairness and justification of this asymmetric approach that obviously treats "regional destabilization" in a one-sided, linear way. The SEMG is acutely aware that Ethiopia is fully involved in blatant acts of destabilization against Eritrea. Addis Abeba hosts several armed subversive groups that intermittently unleash terrorist forays into Eritrea. These acts are in the public domain as they are publicized, almost routinely, by these groups and by Ethiopia's official media outlets.

Furthermore, Ethiopia has and pursues an official policy of "regime change" against Eritrea in contravention of articles 2.3 and 2.4 of the UN Charter on the "peaceful settlement of disputes" and the "use of force or threats against the territorial integrity or political independence of any Member State". And above all, Ethiopia continues to occupy sovereign Eritrean territories, including the town of Badme, in violation of the UN Charter, the EEBC arbitration Award that was given 12 years ago and in flagrant breach of the Algiers Peace Agreement that was brokered by major international powers and guaranteed by the United Nations and the African Union.

In spite of all these facts, the SEMG routinely invokes "mandate limitations" to ignore Ethiopia's egregious acts of regional destabilization while it turns every stone to "validate" fabricated accusations against Eritrea that primarily emanate from Ethiopian military and security officials, and its international allies.

If the SEMG's skewed approach is seen as appropriate from a narrow/technical interpretation of its mandate, the onus must then rest on the UN Security Council to remedy this anomaly.

The UN Security Council has responsibilities, in accordance with Article 39 of the UN Charter, to determine "the existence of any threat to the peace, breach of the peace, or act of aggression" and to take appropriate measures against Ethiopia, in accordance with Articles 41 and 42, to maintain or restore international peace and security. Indeed, ***Ethiopia has committed an act of aggression against Eritrea by occupying its sovereign territories; it is involved in sponsoring armed subversive groups against Eritrea for purposes of destabilization, and it remains wedded to a reckless and illegal policy of "regime change".*** In the circumstances, the whole exercise of portraying Ethiopia as a "victim of Eritrea's acts of destabilization" is unwarranted and untenable both morally and legally. Once again, this approach must be corrected. The UN Security Council should urge Ethiopia to withdraw from sovereign Eritrean territories, including the town of Badme, and cease its policy of destabilizing Eritrea.

3. Arms Embargo

In this section, Eritrea is asked to provide "clarification pertaining to the nature of the arms trade relationship between Eritrea and the Sudan" and, "details regarding the roles of Colonel Habteselasie and Nusredin Bekit in the arms trade". These queries are presumably prompted by "credible evidence" that the SMEG has obtained about the "smuggling of weapons by Eritrea from the eastern regions in the Sudan".

As we have pointed out earlier, Eritrea must be given, as the accused party, all the documentations of the "credible evidences" that the SEMG has in its possession when and if it is required to provide a response or rebuttal.

In any case, while underlying this basic legal principle as a matter of right, Eritrea dismisses categorically these unfounded allegations. The persons referred to are government officials. They are not, and cannot be, involved in illicit acts of the smuggling of weapons. Colonel Habteselasie is Head of Communications in the Office of the President. Mr. Nuredin Bekit was Regional Manager of Red Sea Corporations in the past years prior to his appointment as the Minister of Trade and Industry last month.

At this juncture, Eritrea would also like to emphasize one critical point. Eritrea's focus has been and remains hinged on tackling its myriad economic and human developmental challenges. It harbours neither the desire nor the financial wherewithal to funnel much-needed funds for unnecessary military expenditures. Nonetheless, it finds the unilateral arms embargo as unfair and inappropriate in view of the occupation of its lands by Ethiopia. Eritrea believes that the Security Council has acted inappropriately and in breach of Article 51 of the UN Charter when it passed Resolution 1907 without proper consideration of these facts. As we have highlighted in our previous communications, Ethiopia is on an arms spending spree and has recently purchased weapons worth 200 million US dollars from Ukraine alone. Eritrea maintains that the UN Security Council should approach this matter in a more holistic and balanced manner. UN Security Council unilateral arms embargo against Eritrea indeed remains fraught with dangerous consequences for regional peace and stability as it may create imbalances as well as tempt Ethiopia to contemplate another reckless adventure of aggression against Eritrea.

4. Recovery and Rehabilitation Tax (RRT)

Eritrea has provided exhaustive information on the RRT in its previous written and verbal communications. At the outset it must be underlined the proper appellation is Recovery and Rehabilitation Tax (RRT) and should be referred to as such; not "Diaspora Tax". The RRT is legal and laudable in terms of its origins, aims and objectives. At 2%, it is not onerous on Eritrea's citizens who live abroad and who are asked to share some of the burdens of rehabilitation for the families of the war-wounded and the martyrs.

Eritrea does not employ extra-legal and extra-territorial measures in its methods of levying/enforcement of the tax. Those who do not wish to pay the 2% RRT, in accordance with the provisions of a national law, must naturally shoulder the explicit consequences spelled out in relevant regulations of enforcement. In this particular case, Eritrean citizens who opt out of the tax, forfeit entitlements such as access to urban land, power of attorney to process inheritance, etc. Contrary to the claims made by the SEMG, these measures are not inordinate and cannot be described as "extortion" and "intimidation" by any standards. Furthermore, as falsely propagated by some quarters and frequently reflected in the reports of the SEMG, Eritreans are not denied their natural right of visiting their country. They do not

need an entry visa. All they are required to do is show a valid Eritrean identity card or passport on arrival.

The SEMG requests "documentation showing that the revenue collected annually is appropriated by the Government of Eritrea for the families of martyrs and war disabled". This aspect was fully addressed in our previous communications. The collected tax goes to the Department of Treasury which administers the government budget. As explained before, the aggregate RRT collected in the past four years did not exceed 73 million US dollars, while budgetary appropriation by the Government for the families of martyrs and war disabled individuals for the same period hovered around 112 million US dollars. The earmarking and utilization of these funds is indeed transparent and the expenditures are frequently broadcast by the Eritrean Television and other local and international Eritrean media outlets.

5. Natural Resources

Eritrea finds the recent requests for clarification by the SEMG on the use of revenues from mining rather difficult to understand. Eritrea is asked to provide "names of entities or individuals inside and outside Eritrea receiving payments of more than USD 10,000 in cash or equivalent from Nevsun, its subsidiaries and sub-contractors". In addition, the letter goes on to seek information from Eritrea on; "the purpose, method and date of these payments; the recipient bank's full name, routing number and full address; and, the full name and address of the account holder and account numbers to which such payments are made".

These are corporate matters that concern Bisha Share Company; where the parent Canadian company holds 60% of the stock while Eritrea's National Mining Corporation (ENAMCO) holds the remaining 40% of the equity. Bisha Share Company has all the rights and business prerogatives to procure services and goods and enter into business transactions with other enterprises in accordance with its internal corporate rules and Eritrea's investment and commercial laws. In this respect, Eritrea's investment and commercial laws impose no upper ceilings on contracts/payments that the company can make to ensure its business operations and/or on the repatriation of the company's profits. All the information that the SEMG asks are not, accordingly, matters that concern Eritrea.

The SEMG further requests for "detailed information on the destination and allocation of funds derived from mining activities, including any documents that reflect the ultimate disposition of funds received".

Revenues that the GOE obtains from mining and/or other activities are funneled into the government's coffers. Once annual budget allocations are determined by the Government through its normative institutional bodies and established procedures, the appropriation of the

budget is administered by the Treasury in a holistic manner. And as explained in our previous communications, revenues from mining from 2011 until the first half of this year in the past four years have fluctuated every year but do not exceed 150 million US dollars when averaged over the same period. Leaving government expenditures on education, health etc. aside, GOE's annual food imports for essential consumables exceed 200 million US dollars.

In the event, Eritrea finds the laborious attention that the SEMG has given to "mining revenues" quite inexplicable and counter-productive. It also exceeds its purview as spelled out in the sanctions resolutions.

It is about time for the SEMG to stop stretching its mandate in regard to the 2% RRT and the mining sector of the Eritrean economy. If the SEMG has incontrovertible evidences that these revenues are funnelled for "acts of destabilization" in violation of the UNSC Resolutions, as it is insinuating, it must publish these figures with all the necessary details.

6. On Djibouti

The Presidents of Eritrea and Djibouti have signed a comprehensive agreement mandating the Emir of Qatar to facilitate the resolution of all outstanding issues between the two countries. Eritrea remains fully committed to the agreement and the process underway. It is also ready to discuss in good-faith all pending issues with Djibouti within the framework of the Qatari facilitation process.

7. Conclusion

Eritrea wishes to reiterate, once again, the unfairness of the sanctions resolutions which have been imposed on it for the last four years for political reasons. Eritrea's alleged acts of destabilization in Somalia and its presumed linkages with Al-Shebaab were the primary accusations that prompted the original, unfair, sanctions resolution against Eritrea.

As the hollowness of these accusations have become clearer with time and as the chorus for timely review is growing, we see a shift of the goalpost where the fulcrum is apparently moving to "acts of destabilization against Ethiopia". This trend cannot be acceptable by any standards. Eritrea is the aggrieved and injured party in this troubled relationship; not only historically for the last sixty years but also during these past turbulent years. International law and the UN Security Council must side with Eritrea to remedy historic injustices; not conjure up unbalanced and asymmetric standards to harm the injured party and provide carte blanche to the injurer or occupying party to perpetrate yet more acts of aggression. In the event, Eritrea calls for the rescinding of the sanctions resolutions against Eritrea and to bring Ethiopia to account for its occupation of sovereign Eritrean territories, including the town of Badme, and for associated acts of destabilization against its neighbour.

One last issue that merits investigation. Eritrea had raised in the past serious questions in regard to the professionalism, objectivity and integrity of the SEMG. These concerns pertain both to the manner of its selective collection and validation of data and other suspect and unhealthy associations that have come to light. Eritrea's misgivings were also shared by several members of the Security Council. Eritrea had felt that certain measures taken against some former members of the SEMG team were, even if tacit, an acknowledgement and partial remedy to the problem. Unfortunately, and in spite of Eritrea's constructive engagement, the situation has not changed significantly.

Eritrea has in its possession a letter circulated by a senior member of the SEMG that compromises his professional neutrality and exposes his active association with an agenda of "regime change" above and beyond his entrusted mandate. Eritrea maintains that this conduct cannot be tolerated. And, beyond taking the necessary corrective measures against the individual concerned, Eritrea argues that this episode must have a bearing on the credibility of the entire report.

###+++###

Annex 5

Eastern Sudan

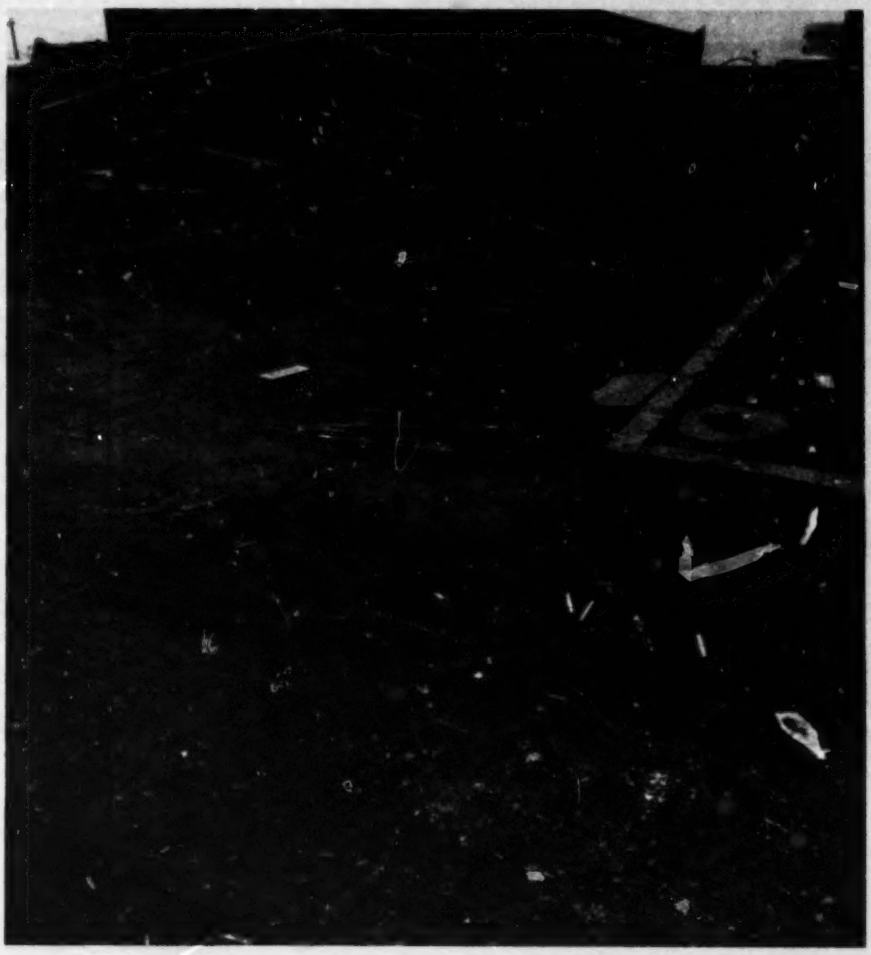
Annex 5.1

Map of Kassala, Lafa and Teseney

Annex 5.2

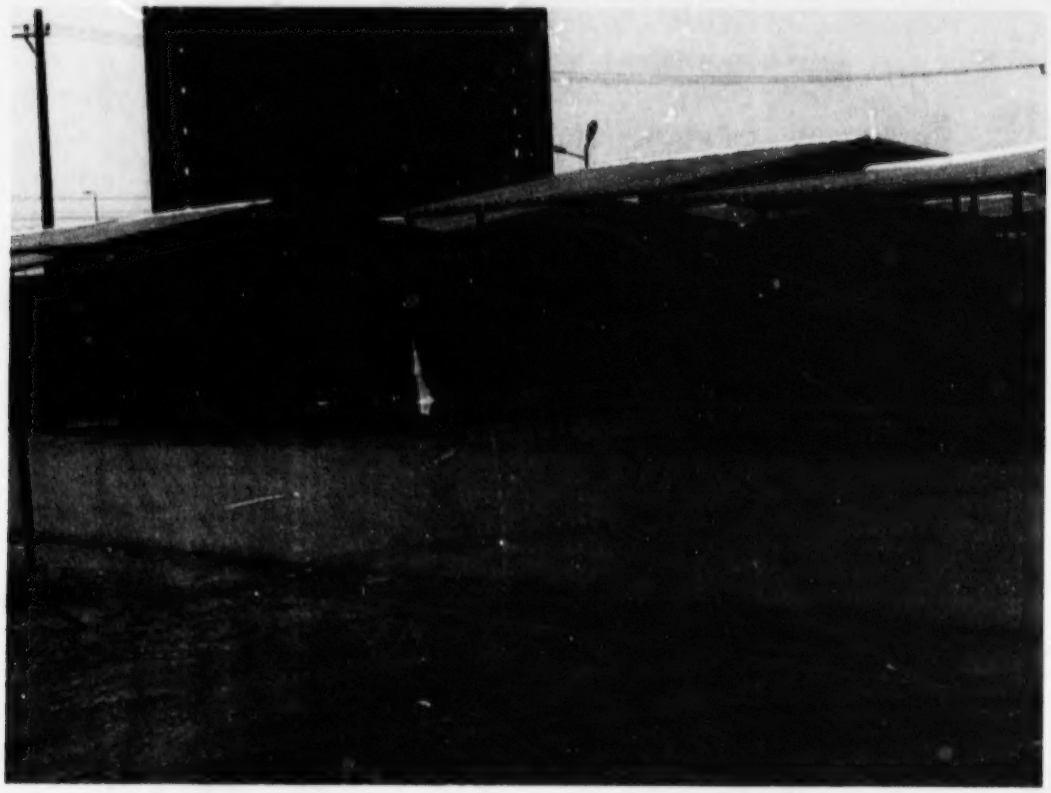
Kassala weapons depot

The stockroom of the Kassala weapons depot



Annex 5.3

Military vehicles around the Kassala weapons depot



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Annex 5.4

Rocket-propelled grenades inside the Kassala depot

Annex 5.5

Documents from the Kassala depot

Packaging list of arms being shipped to Eritrea

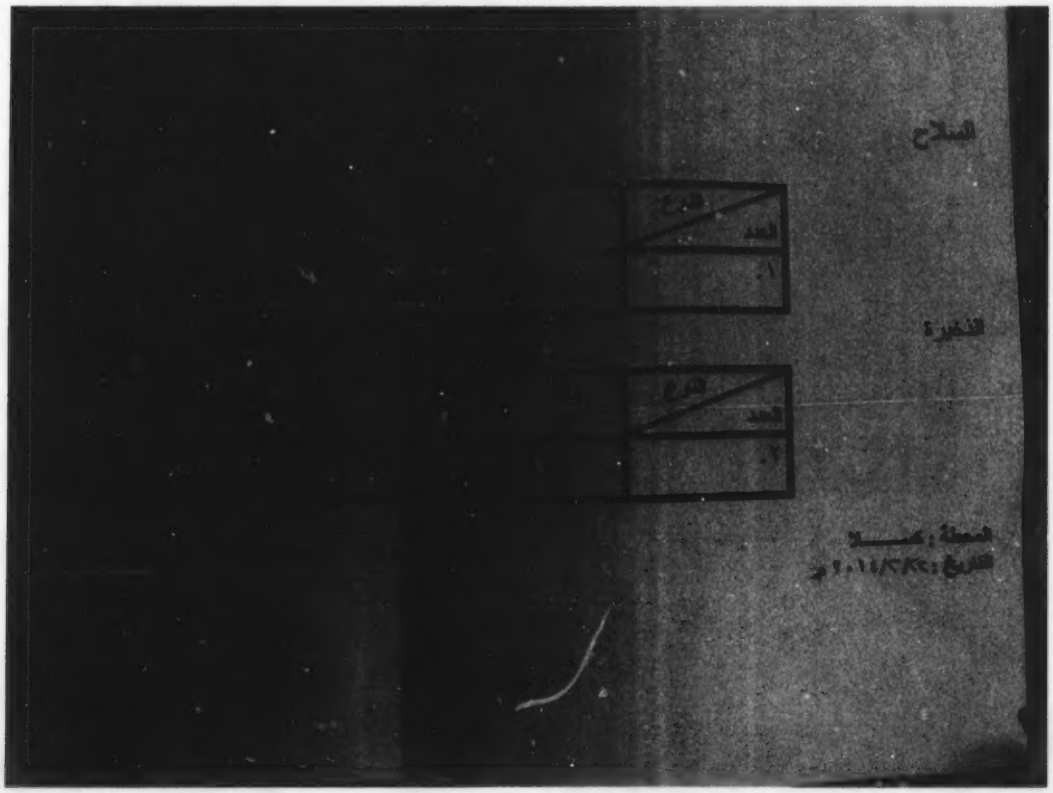
The document reads as follows:

> Directorate of the Unit of Kassala
>
> Permit for the passage of weapons and ammunition to be delivered to the State of Eritrea.

The first box details the weapons being shipped: 2 Doshkas, 10 Kalashnikovs, 10 RPGs, and 3 mortar tubes.

The second box details the ammunition being shipped: 200 for Doshkas, 500 for Kalashnikovs, 30 for RPGs, and 9 for mortars.

The document is dated 22 February 2014 and signed by B.G. Omar Al Naqi in Kassala.



Inventory list of ammunition at the depot on 22 February 2014

The document reads as follows:

> Top Secret
>
> National Intelligence and Security Apparatus, Kassala Unit, Ammunition Inventory

The box details the ammunition: 600 for Kalashnikovs; 500 for Tirab rifles; 900 for PKMs; 300 for Doshka; 16 for RPGs; 10 rounds for SPG-9 guns.

The document is dated 22 February 2014 and signed by B.G. Omar Al Naqi in Kassala.

Annex 6

Ogaden National Liberation Front

Annex 6.1

Ogaden National Liberation Front central committee members that were present at the conference in Asmara in August 2013

Abdurahman Mohamed Umar Osman	Chairman of the ONLF
Mohamed Umar Ismail	Deputy Chairman of the ONLF
Mohamed Abdi Yasin	Secretary of the ONLF
Abdirahman Mahdi	Head of Foreign Relations of the ONLF
Dr. Ibado Hirsi	Head of Finance and Economic Affairs
Mohamed Nuur Abbas	Head of Strategic Planning of the Executive Committee
Hussein Nuur	Head of Information and Public Relation Affairs
Ahmed Mehumed Mohamed	Head of Defense Affairs
Abdukadir Sheik Hassan Hirmoge	Representative and Liaison in Australia
Ahmed Yassin	Head of Social Affairs
Abdukerim Sheik Musse	Head of General Command in Ethiopia
Abdullahi Muktar	Head of Organizational Affairs and adviser to the Chairman
Ali Ahmed Hussein	Deputy Head of Intelligence Affairs
Bedal Hassan	Member of the Central Committee
Ahmed Mejertain	Community Affairs Coordinator in the USA
Abdellahi Ahmed	Community Affairs Coordinator in Saudi Arabia
Mohamed Sherif	Member of the Committee and Commander
Hassan Shekiye	Secretary of the General Committee
Mohamed Yusuf	Deputy Head of Economic Affairs
Abdukadir Gamadid	Member of the Central Committee
Professor Mohamed Wadi	Member of the Central Committee
Mohamed Ibrahim	Member of the Central Committee
Hassan Mohammed Macalin	Deputy Head of Community Affairs in Denmark
Abdelahi Ogas	Member of the Central Committee
Faisal Dhahir	ONLF Representative based in Asmara

Annex 6.2

Copy of an Eritrean-issued visa to Yussuf Mohamed Hussein

Annex 7

Tigray People's Democratic Movement and Ginbot Sebat

Annex 7.1

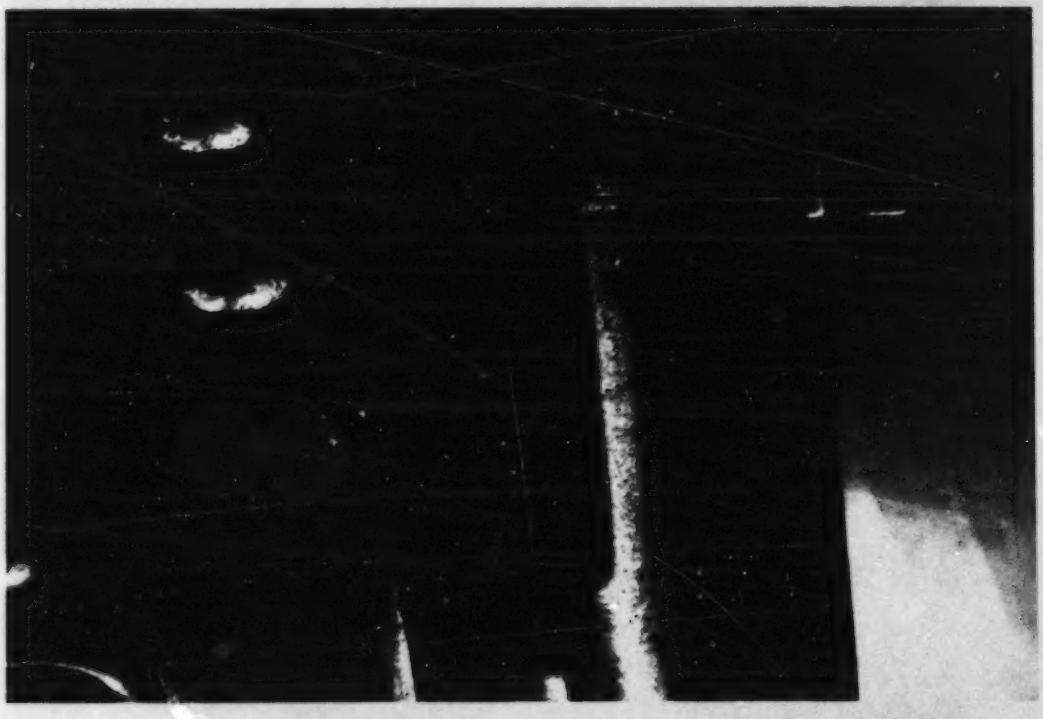
Location of Harena training camp

Annex 7.2

Strategic locations inside Ethiopia that were identified by Ginbot Sebat fighters for the future movement of weapons

Annex 7.3

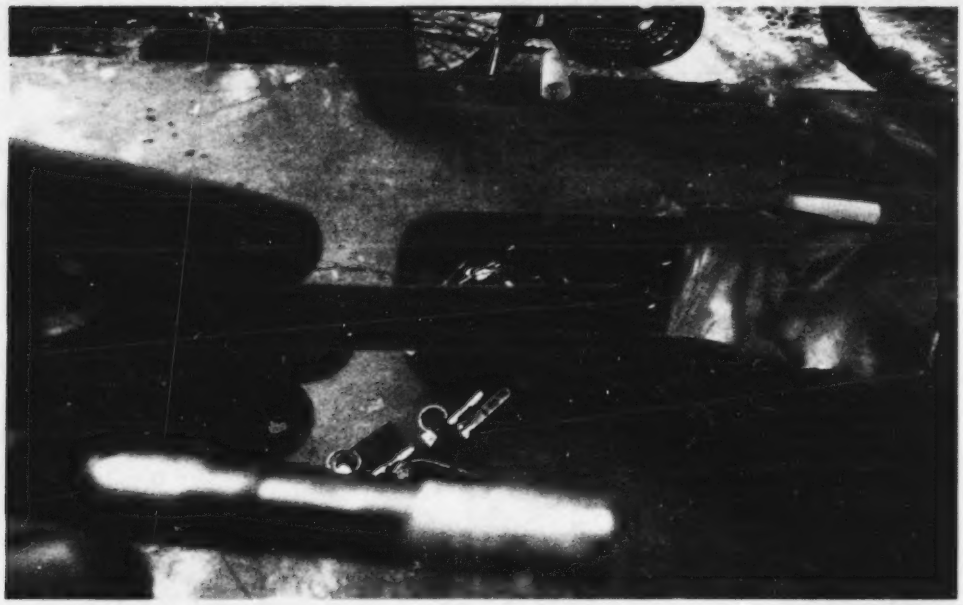
Weapons found on a captured Ginbot Sebat fighter while he was travelling through Ethiopia with two other fighters

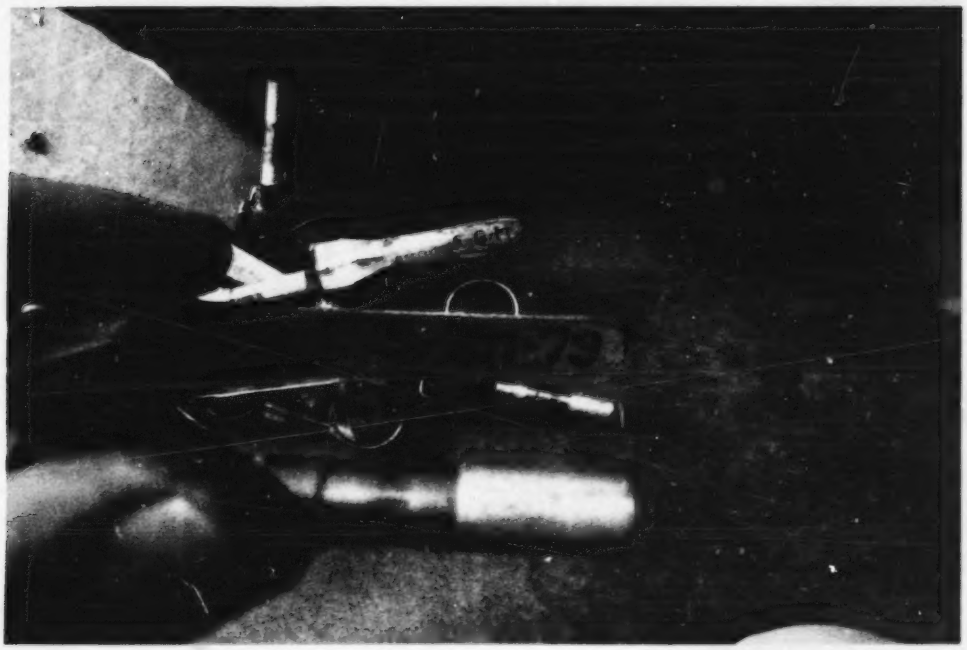


Annex 7.4

Grenade pins that the Monitoring Group recovered in 2011 on Ogaden National Liberation Front fighters compared with the same "79" serial number as the grenade pins recovered from a Ginbot Sebat fighter

Below are three of the grenade pins that were found on ONLF fighters in 2011



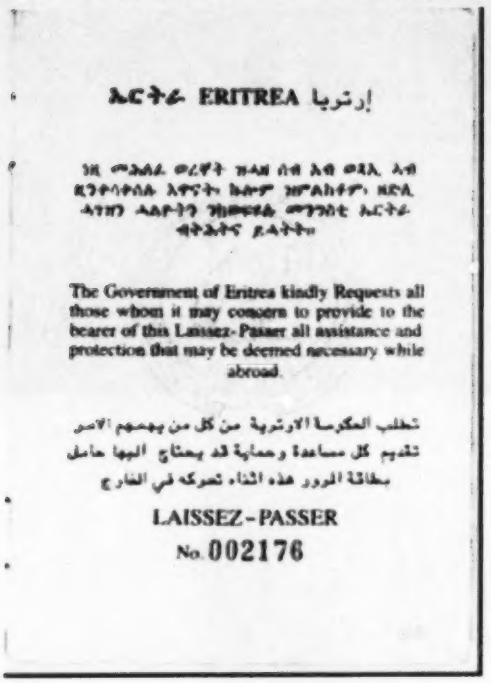


Below are the grenade pins recovered on Ginbot Sebat fighters in 2013

Annex 7.5

Documents found on a Ginbot Sebat fighter who escaped to Ethiopia

Eritrean laissez-passer issued at the Eritrean Embassy in Pretoria, South Africa



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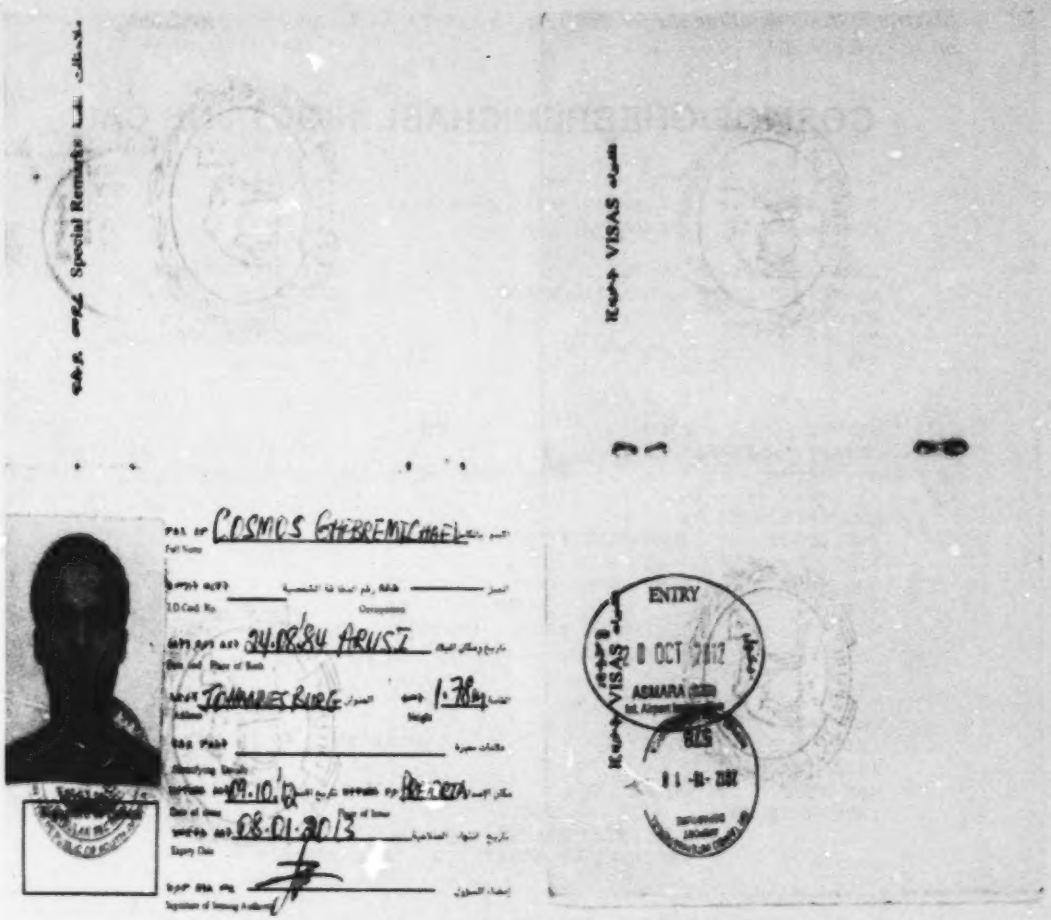
The Government of Eritrea kindly Requests all those whom it may concern to provide to the bearer of this Laissez-Passer all assistance and protection that may be deemed necessary while abroad.

تتطلب الحكومة الارترية من كل من يهمهم الامر تقديم كل مساعدة وحماية قد يحتاج اليها حامل بطاقة المرور هذه اثناء تحركه في الخارج

LAISSEZ-PASSER

No. 002176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Electronic ticket detailing the former fighter's travel from Johannesburg to Asmara on 18 October 2012

COSMOS/GHEBREMICHAEL 18OCT JNB CAI

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FAX : 129(11)127473

DATE 10OCTOBER12
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EGYPTAIR - MS 840				
THU 18OCT	JOHANNESBURG ZA	CAIRO EG	2145	0540
NON STOP INTL	O.R. TAMBO INTL 19OCT	CAIRO		
	EQUIPMENT:AIRBUS INDUSTRIE A330-300			
	RESERVATION CONFIRMED - K ECONOMY			
EGYPTAIR - MS 833				
FRI 19OCT	CAIRO EG	ASMARA ER	2320	0310
NON STOP INTERNATIONA	CAIRO INTL 20OCT	ASMARA		
	EQUIPMENT:AIRBUS INDUSTRIE A320-100/200			
	RESERVATION CONFIRMED - K ECONOMY			

RESERVATION NUMBER(S) MS/5AXOYS

COSMOS/GHEBREMICHAEL TICKET:MS/ETKT 077
2414742403
CLICK THE FOLLOWING LINK TO ACCESS YOUR ONLINE ITINERARY :

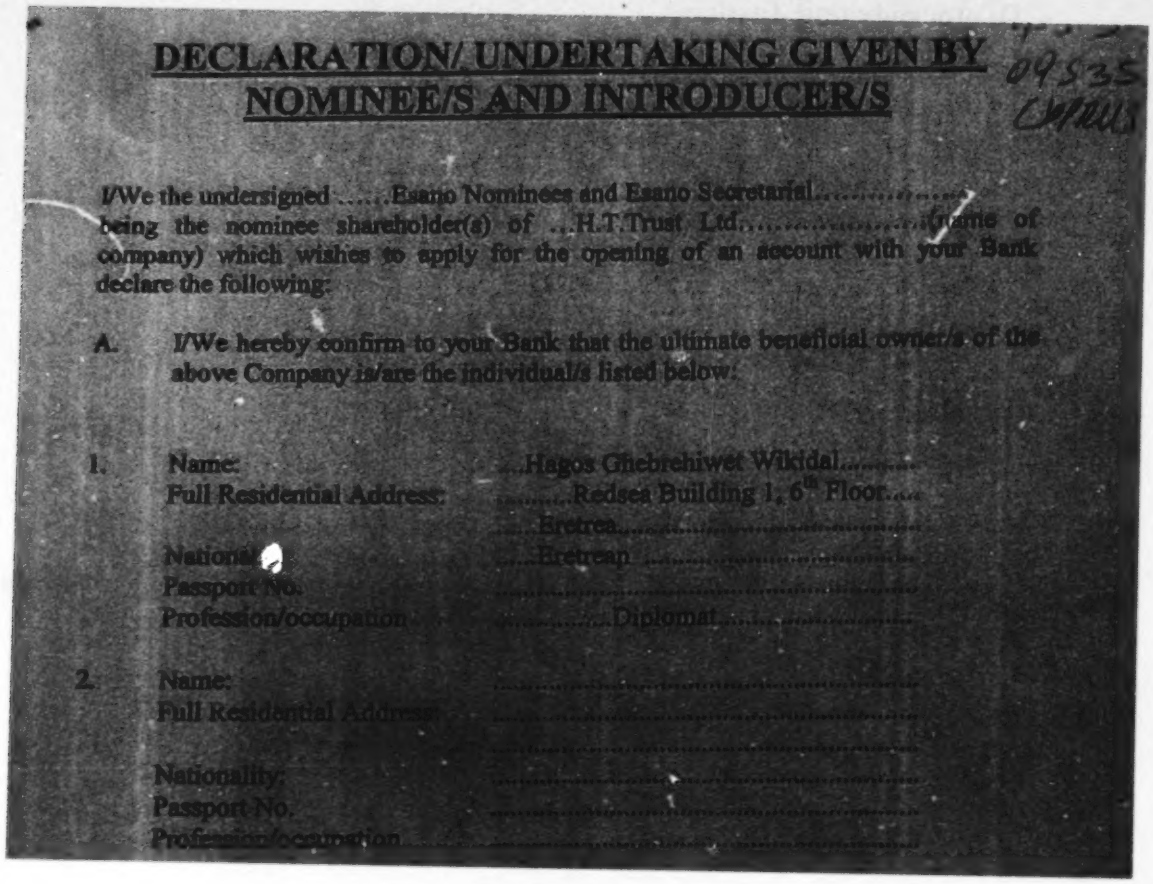
WWW.CHECKMYTRIP.COM/CMTSSRVLET?R=5AXOYS&L=GB&N=COSMOS

Annex 8

Clandestine business networks of the People's Front for Democracy and Justice

Annex 8.1

Incorporation documents of "H.T. Trust Limited"



DECLARATION/ UNDERTAKING GIVEN BY NOMINEE/S AND INTRODUCER/S

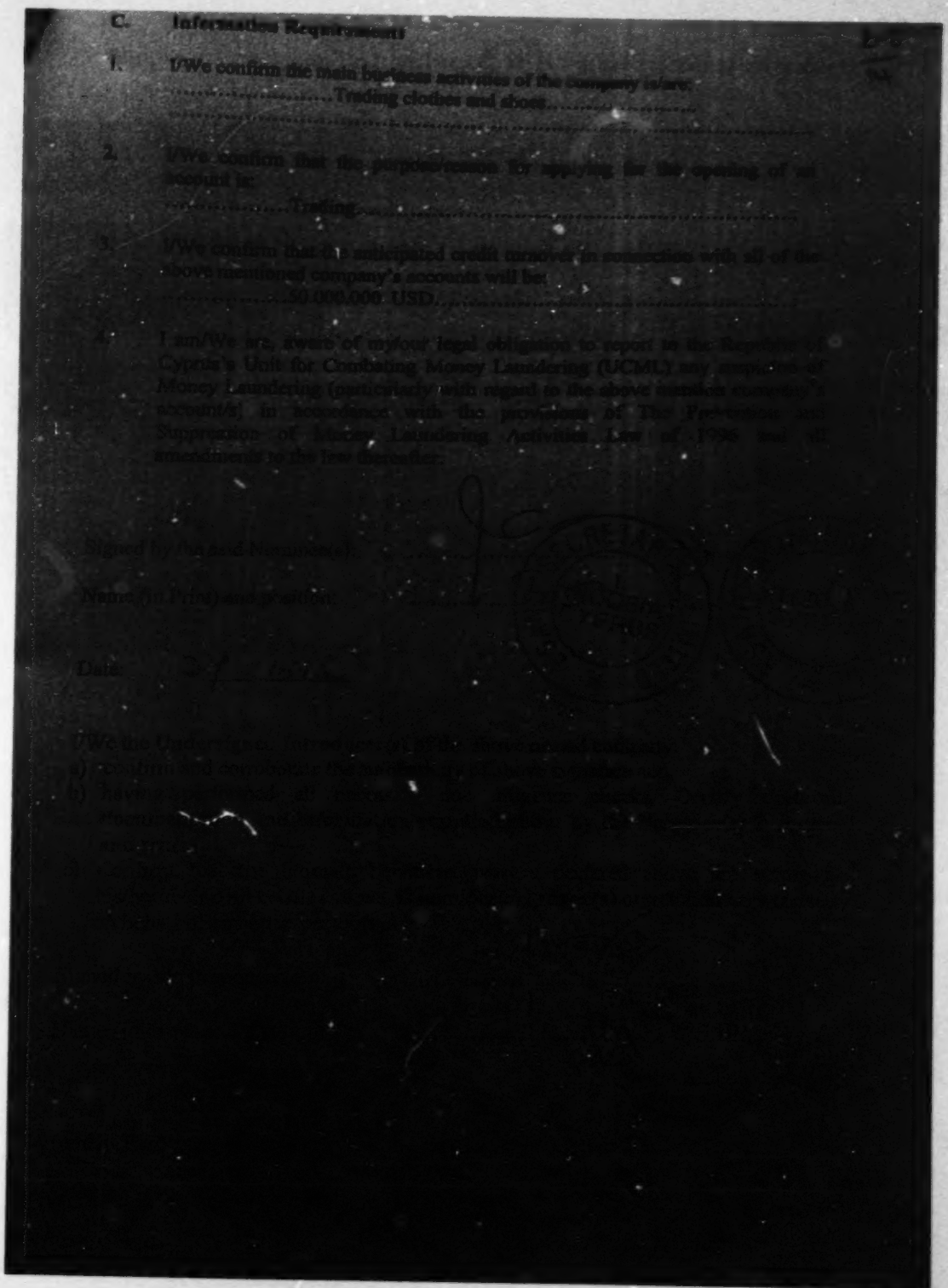
09535

I/We the undersigned .....Esano Nominees and Esano Secretarial..... being the nominee shareholder(s) of ...H.T.Trust Ltd.....(name of company) which wishes to apply for the opening of an account with your Bank declare the following:

A. I/We hereby confirm to your Bank that the ultimate beneficial owner/s of the above Company is/are the individual/s listed below:

1. Name: .....Hagos Ghebrehiwet Wikidal.....
Full Residential Address: .....Redsea Building 1, 6th Floor.....
.....Eretrea.....
Nationality: .....Eretrean .....
Passport No. .....
Profession/occupation .....Diplomat.....

2. Name: .....
Full Residential Address: .....
.....
Nationality: .....
Passport No. .....
Profession/occupation .....



C. Information Requirements

1. I/We confirm the main business activities of the company is/are:
Trading clothes and shoes

2. I/We confirm that the purpose/reason for applying for the opening of an account is:
Trading

3. I/We confirm that the anticipated credit turnover in connection with all of the above mentioned company's accounts will be:
50.000.000 USD

4. I am/We are aware of my/our legal obligation to report to the Republic of Cyprus's Unit for Combating Money Laundering (UCML) any suspicion of Money Laundering (particularly with regard to the above mention company's account/s) in accordance with the provisions of The Prevention and Suppression of Money Laundering Activities Law of 1996 and all amendments to the law thereafter.

Signed by (s) and Name(s):

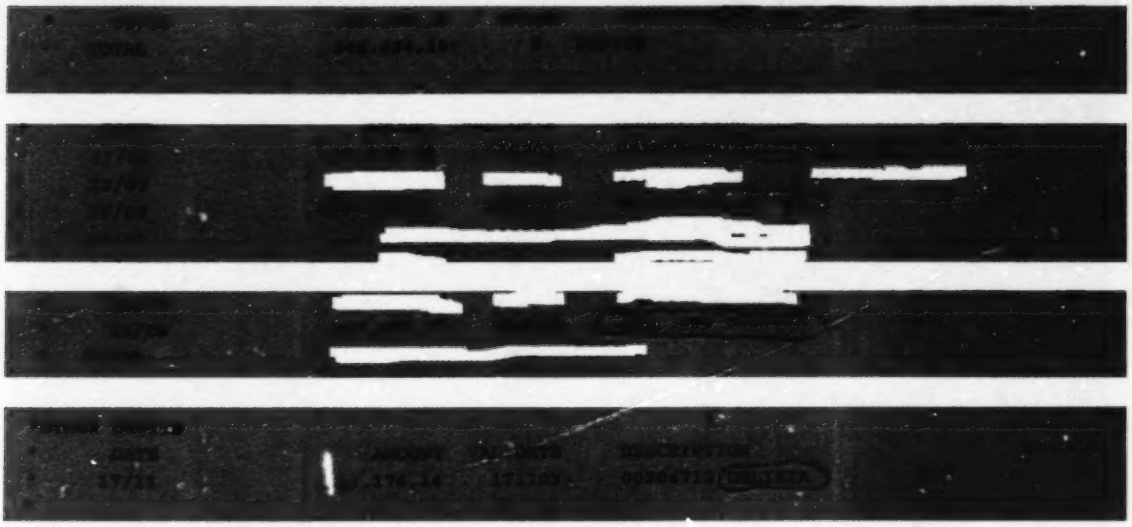
Name (in Print) and position:

Date:

I/We the Undersigned, declare on behalf of the above mentioned company that:
a) the information and documents provided in this application are true and correct,
b) I have read and understood all the terms and conditions of this application and I agree to be bound by them.

Annex 8.2

Bank wire transfers from "H.T. Trust Limited" to "Deliza Limited"



Annex 9

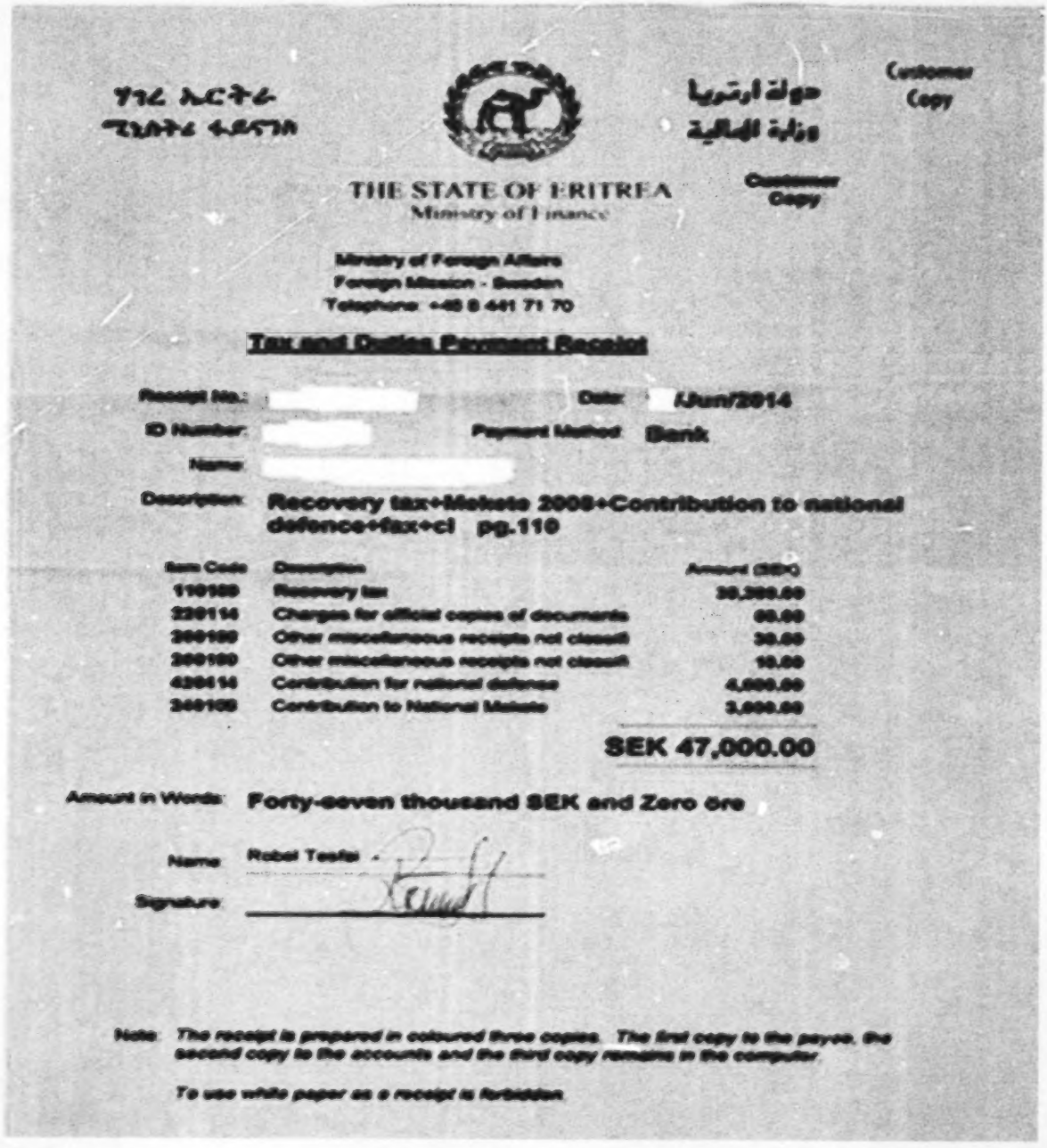
Diaspora taxation

Annex 9.1

Sample documentation relating to 2 per cent taxation and defence contribution

1. **Sweden**

Tax payment receipt



ግዝኢ ኤርትራ
ሚንስትሪ ፋይናንስ

THE STATE OF ERITREA
Ministry of Finance

دولة ارتيريا
وزارة المالية

Customer Copy

Customer Copy

Ministry of Foreign Affairs
Foreign Mission - Sweden
Telephone: +46 8 441 71 70

Tax and Duties Payment Receipt

Receipt No.: [redacted] Date: 4Jun/2014

ID Number: [redacted] Payment Method: Bank

Name: [redacted]

Description: Recovery tax+Meleste 2008+Contribution to national defence+tax+ci pg.110

Item Code	Description	Amount (SEK)
110109	Recovery tax	39,390.00
220114	Charges for official copies of documents	60.00
260109	Other miscellaneous receipts not classifi	30.00
260109	Other miscellaneous receipts not classifi	10.00
420414	Contribution for national defense	4,000.00
340109	Contribution to National Meleste	3,000.00

SEK 47,000.00

Amount in Words: Forty-seven thousand SEK and Zero öre

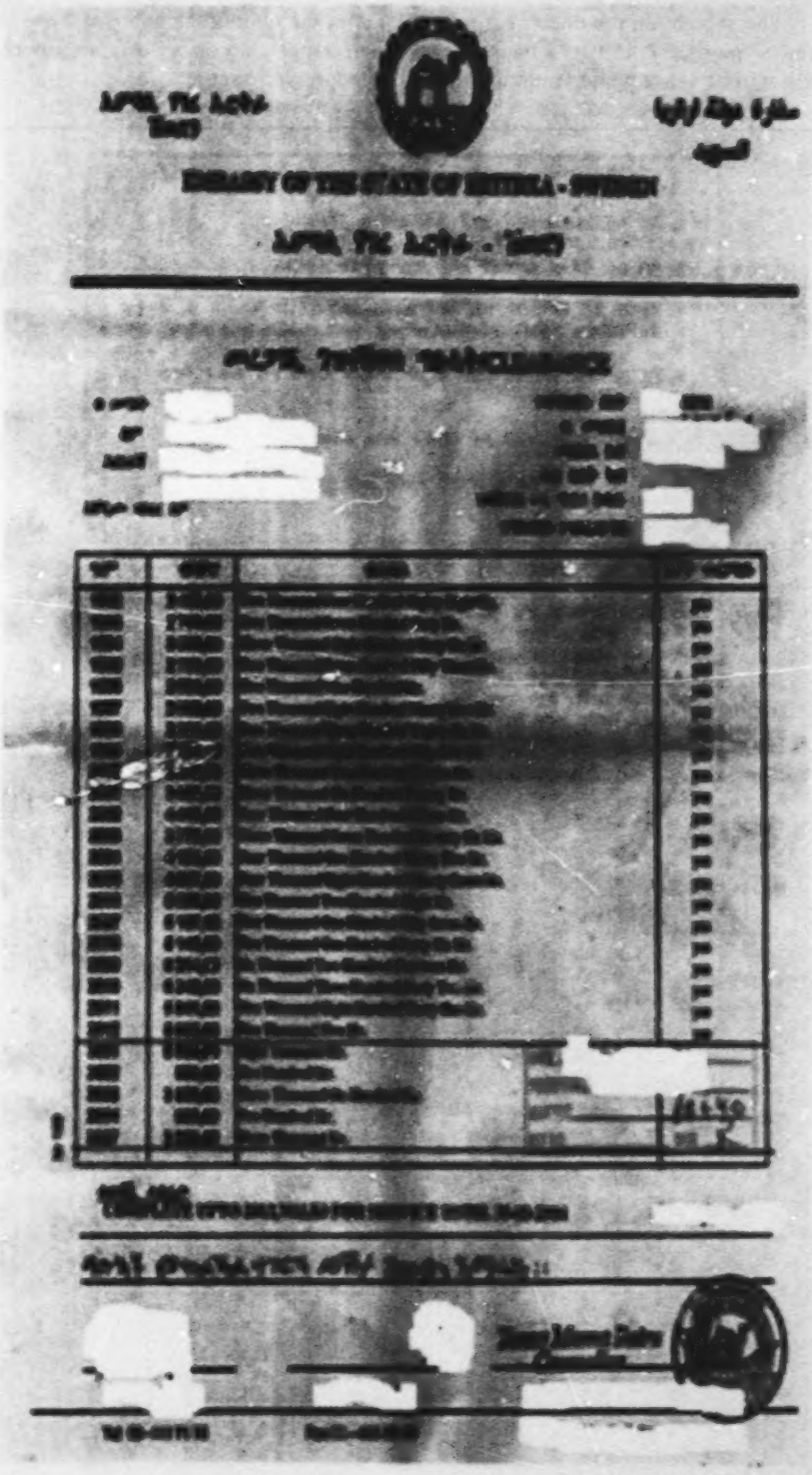
Name: Robel Tesfai

Signature: [redacted]

Note: The receipt is prepared in coloured three copies. The first copy to the payee, the second copy to the accounts and the third copy remains in the computer.

To use white paper as a receipt is forbidden.

Tax clearance form



2. United Kingdom

A Letter addressed to the Eritrean Embassy, United Kingdom

The subject on the document is a resident in the United Kingdom and has been asked to pay GBP 450 to a bank account. The letter also states that an advice of credit will be sent upon completion of the payment by the subject.

THE STATE OF ERITREA

Affairs

Account System

Letter addressed to Eritrea's Ministry of Foreign Affairs, Mr. Berhane Yemane

(An unofficial translation is provided below)

To the ministry of Foreign affairs

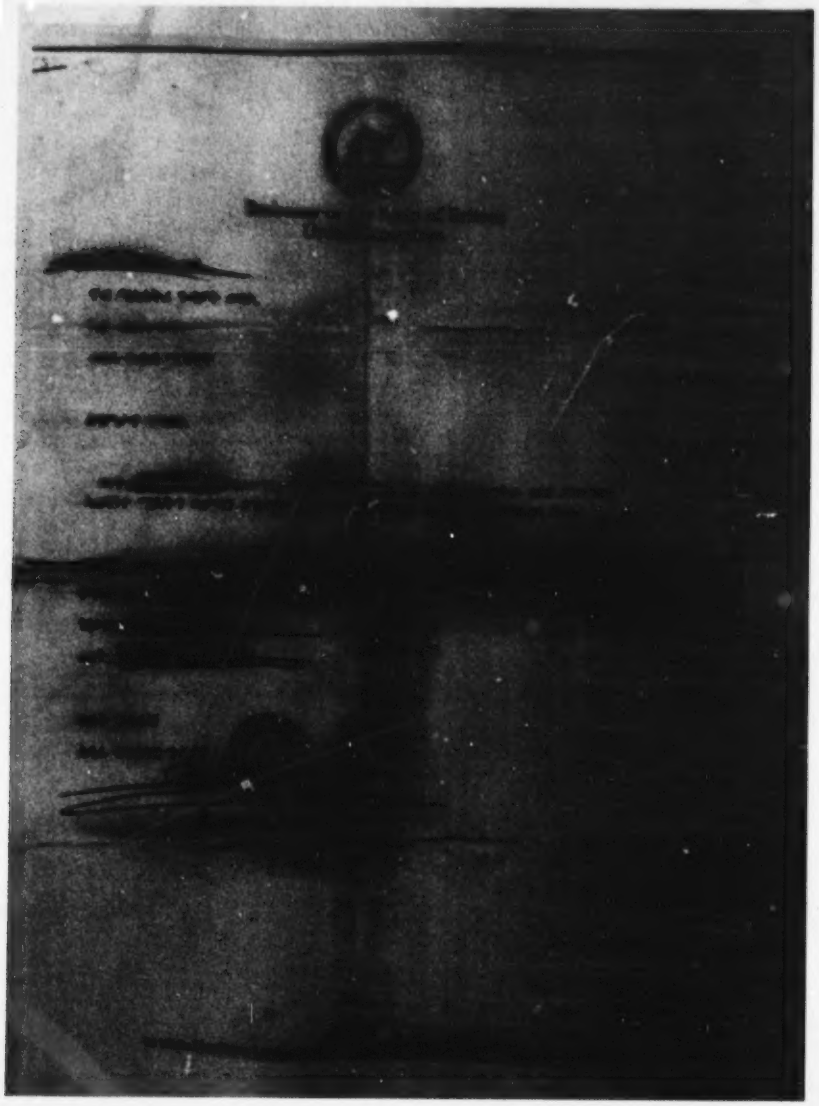
Mr Berhane Yemane

Greetings,

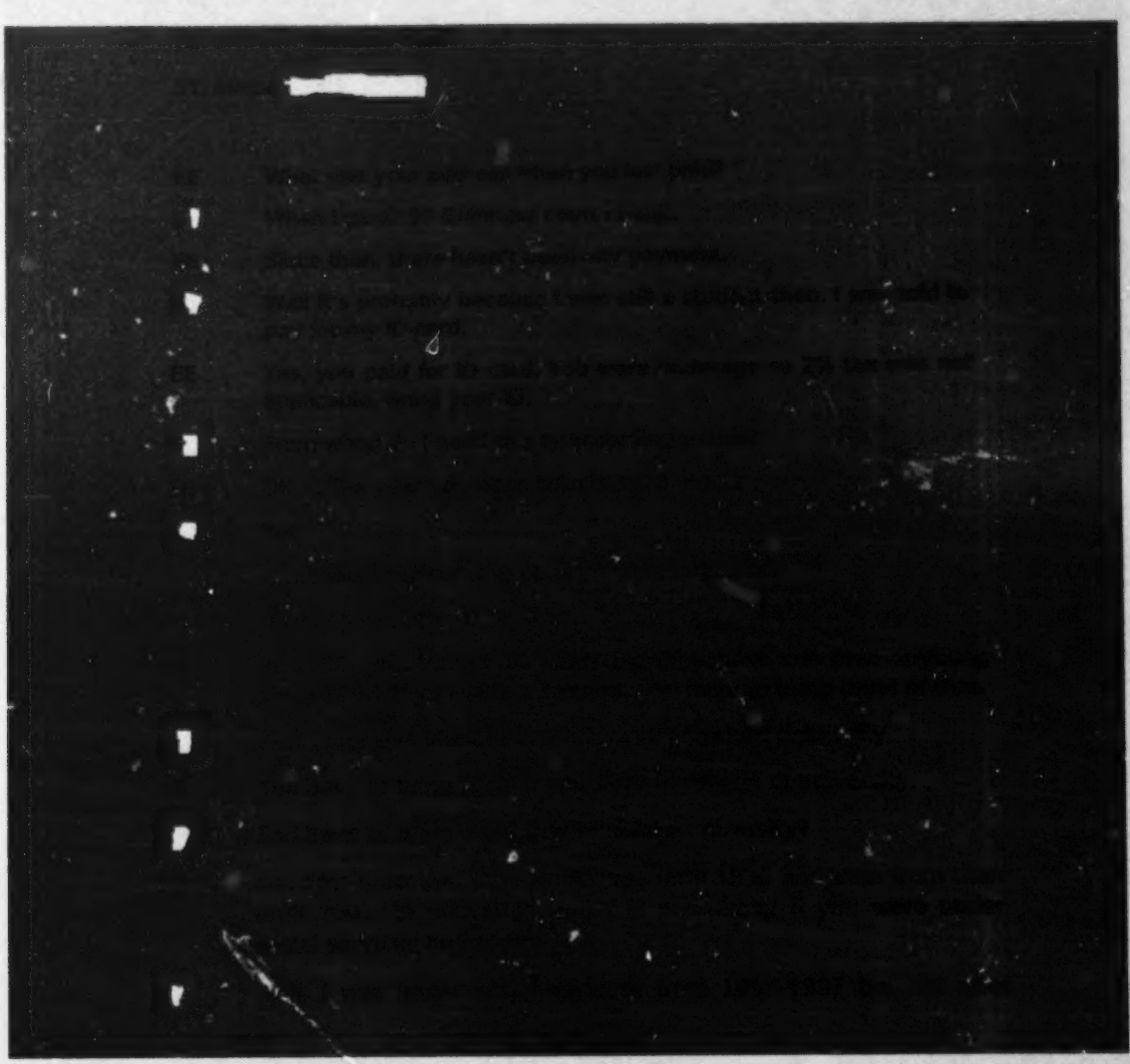
Mrs xxxx ID number xxxx, must pay GDP 450 (Four Hundred and fifty pound). Please assist her where necessary. The monies mentions above, is money I have paid of my free will.

name of Payee: xxxx

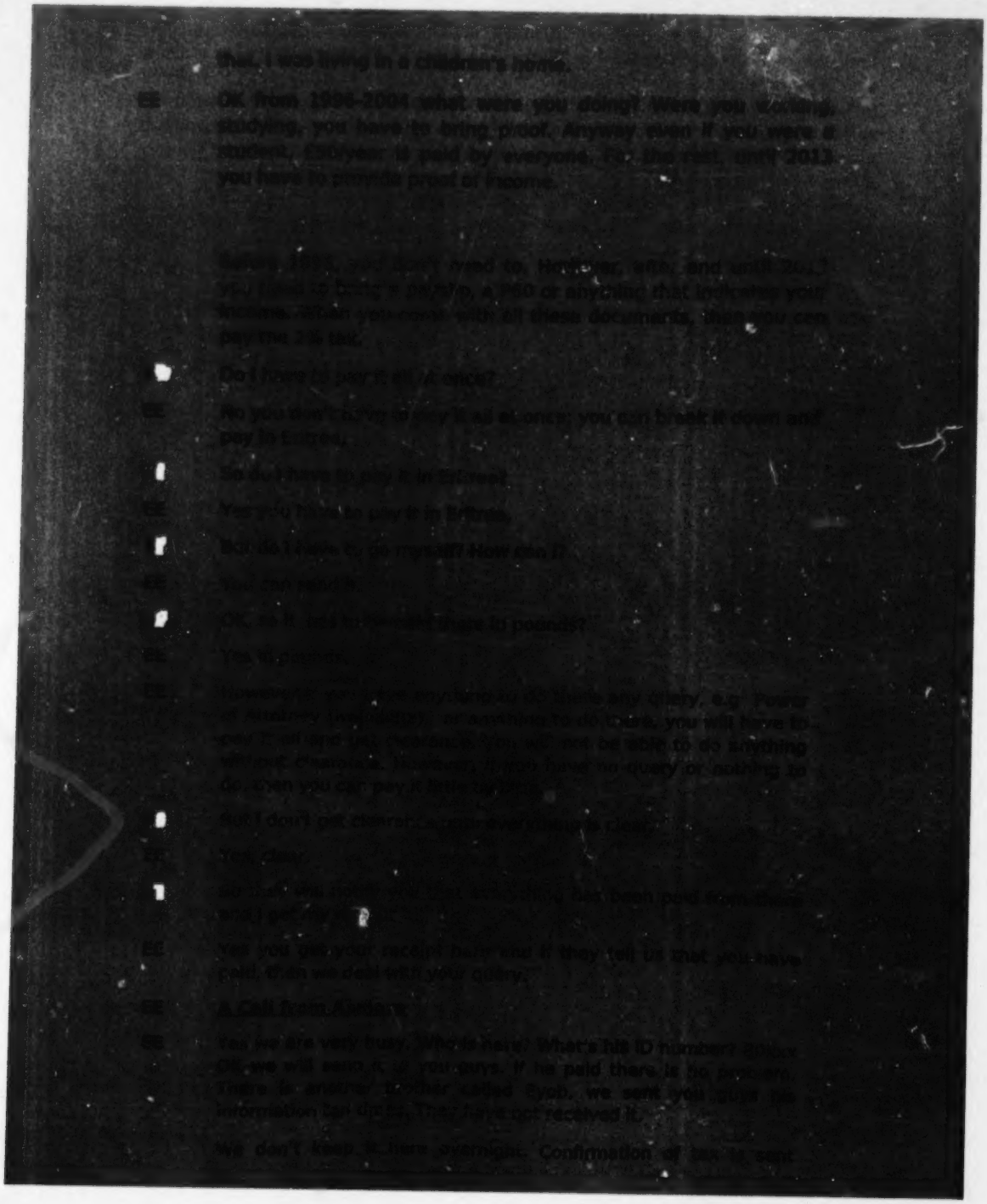
Stamp:

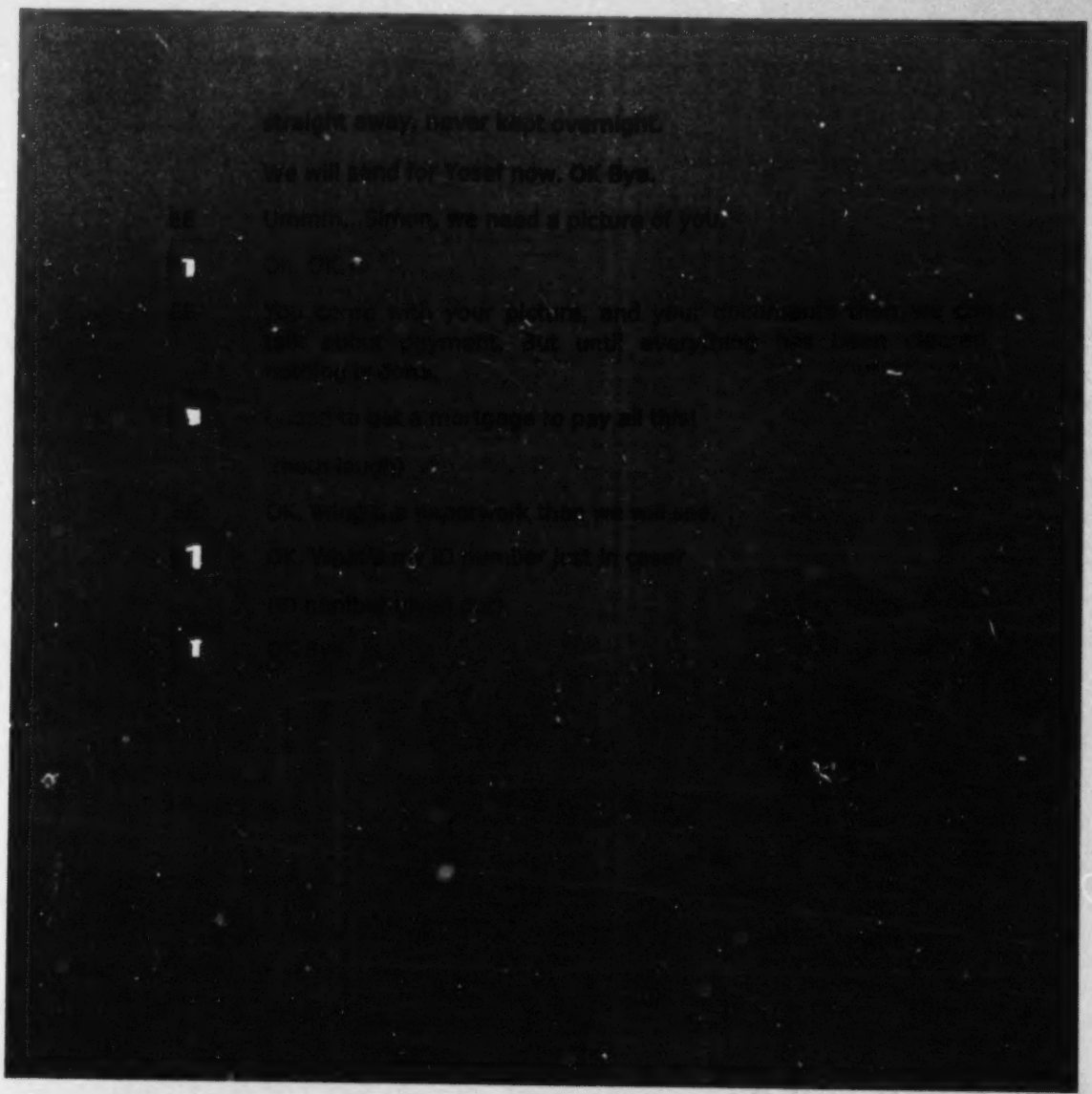


On 18 December 2013, an Eritrean activist entered the premises of the Embassy of Eritrea in London (96 White Lion Street, London N1 9PF), in order to document the process of sending some items and packages to relatives and family in Eritrea. Mr. Tesfamariam wore a concealed camera and recorded the exchanges below with an employee from the Embassy.[136] During the exchange the individual is instructed that he has to fulfil his tax obligations to receive "clearance" before asking for services such as a Power of Attorney.



[136] The audio recording can be viewed at: https://www.youtube.com/watch?v=QyWkoZgBUeY





straight away, never kept overnight.

We will send for Yosef now. OK Sya.

Ummm... Simon, we need a picture of you.

OK. OK.

You can't see your picture, and your [illegible] don't see it [illegible] payment, but until everything has been checked [illegible]

[illegible] to get a mortgage to pay all this!

[illegible]

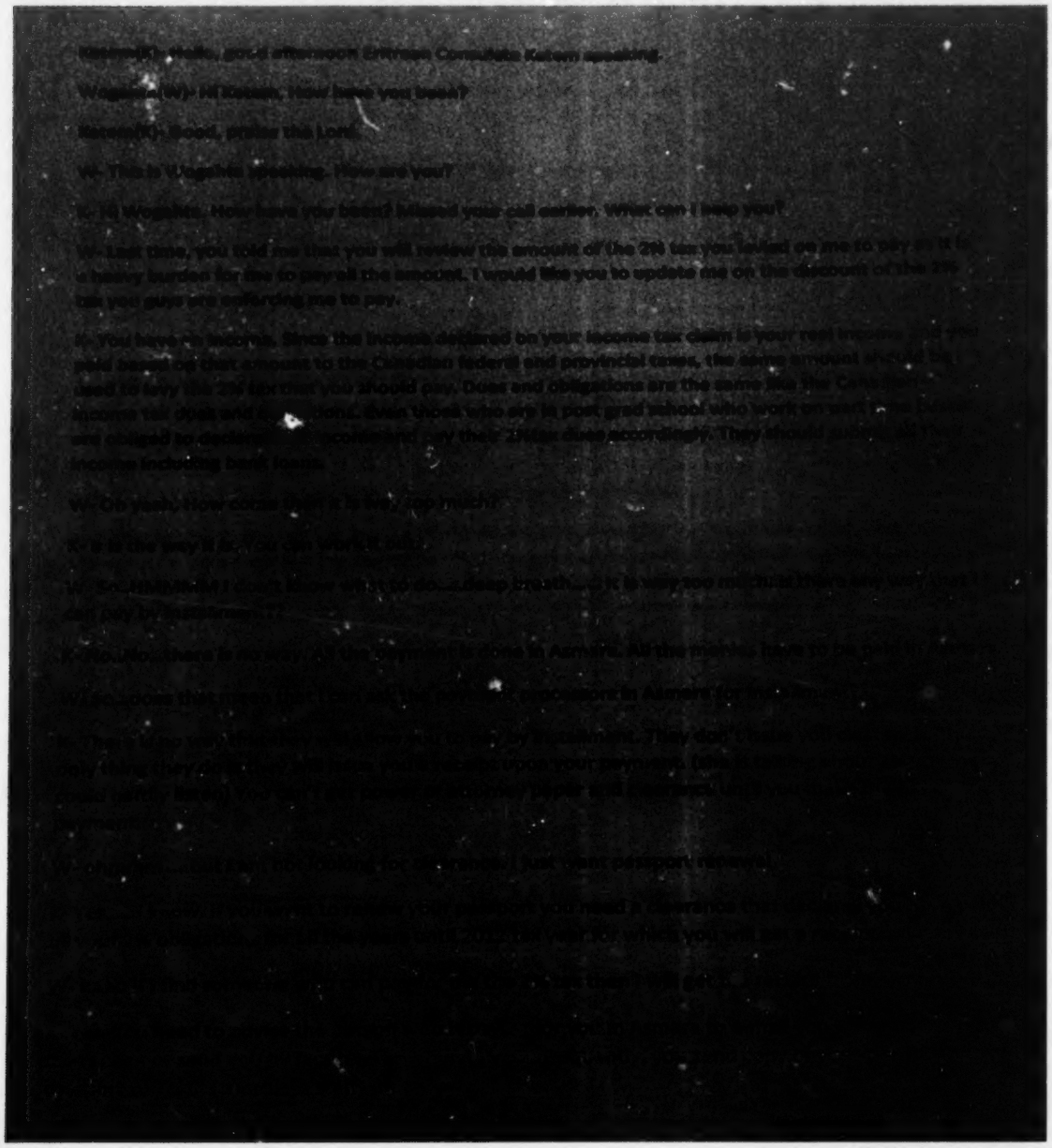
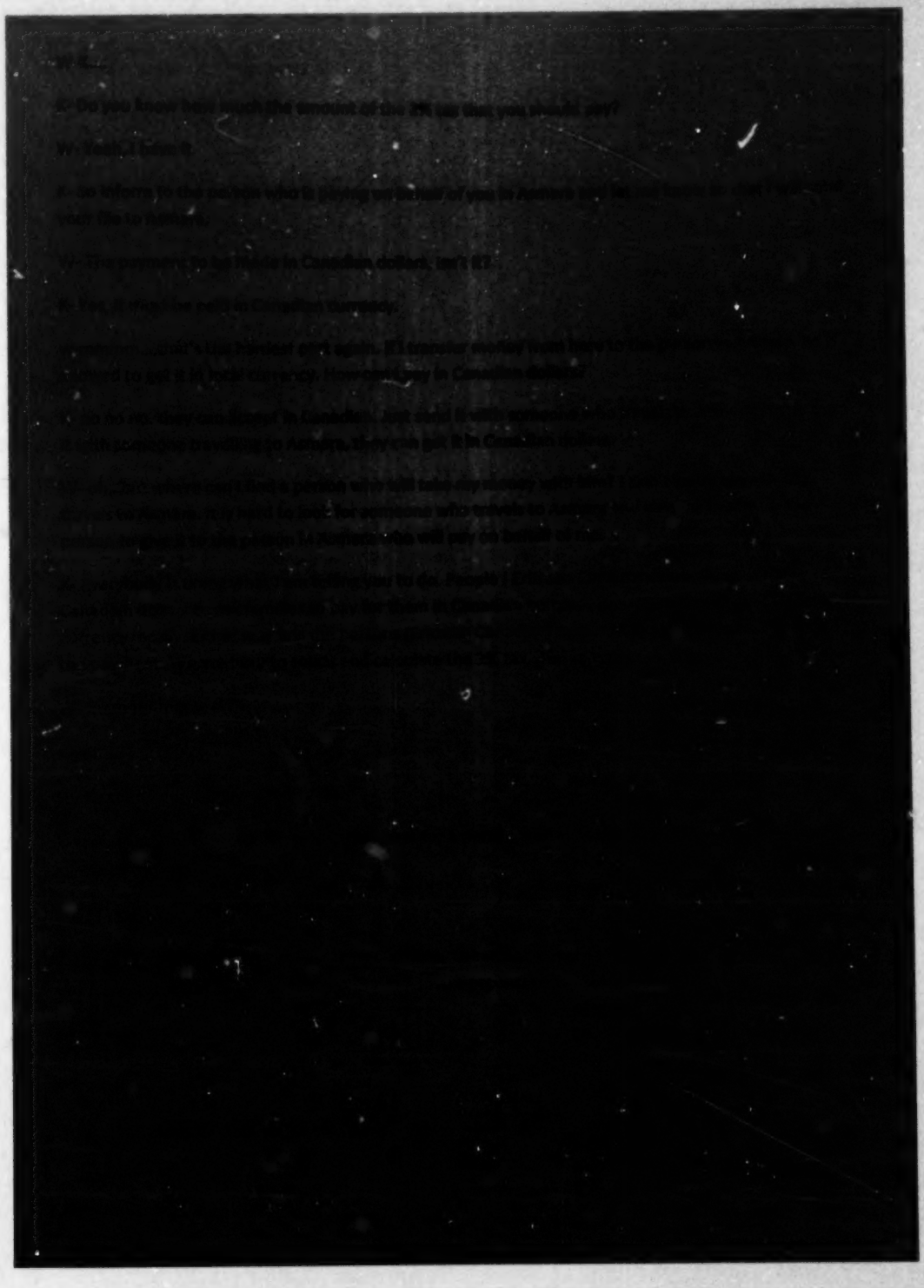
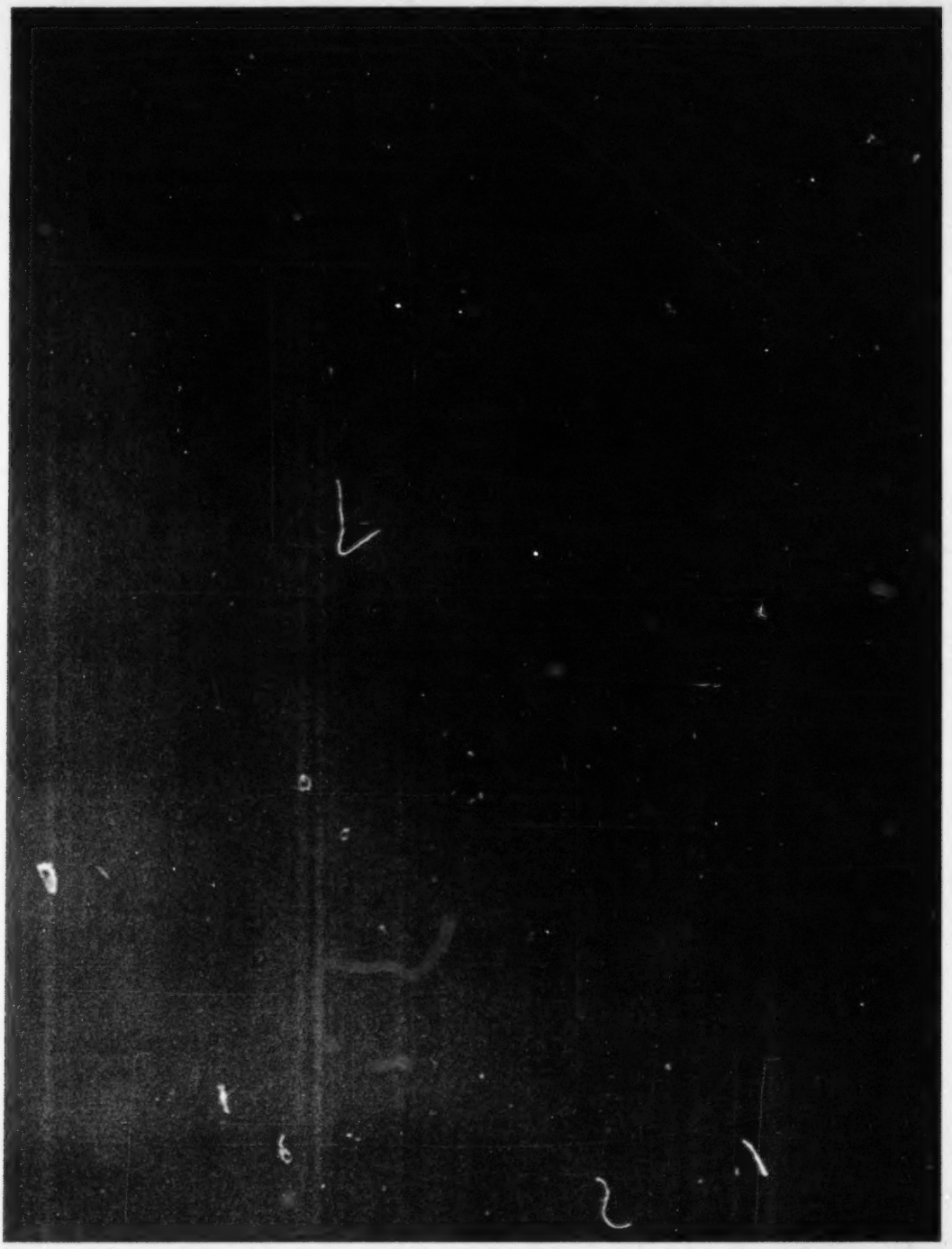
OK, bring it a moment, then we will see.

[illegible]

[illegible]

[illegible]

3. Canada

A verbatim transcript of a telephone conversation between an Eritrean national and an official from the Consulate General of Eritrea in Toronto, Canada.

The Eritrean official informs the caller that he/she needs to fulfil the 2% tax obligations in order to receive a renewal of her/his passport. The audio was recorded in May 2014.